



2015 MUNICIPAL and SCHOOL ELECTION WORKSHOP

Sponsored by

Secretary of State Shantel Krebs
South Dakota Municipal League
Associated School Boards of South Dakota

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Morning Agenda

- Election Code and Precinct Manual
 - currently being updated
- Election Types and Dates
- Public Notices
- Voter Registration and Residency
- Eligibility Requirements
- Petitions
- No Candidates, Vacancies
- Ballot Preparation
- Election Worker Training

Election Types and Dates

Municipalities have *three* options: set your date by January 14 if choosing date other than second Tuesday in April (SDCL 9-13-1).

1. Second Tuesday in April (SDCL 9-13-1).
2. First Tuesday after the first Monday in June (SDCL 9-13-40).
3. Combine with the school on the second Tuesday in April, first Tuesday after the first Monday in June (*Primary date in 2016*) or the third Tuesday in June (SDCL 9-13-1.1).
 - a. If the school election is combined with a municipal election on a date other than the second Tuesday in April, all dates follow SDCL 13-7, except if combining with a Primary election you would also follow Title 12.

Election Types and Dates

Schools have *many* options: school board sets election date no later than first regular meeting in January (SDCL 13-7-10). Dates listed below are the most common.

1. Anytime from the second Tuesday in April through the third Tuesday in June (SDCL 13-7-10).
2. Combine with municipality on the second Tuesday in April, first Tuesday after the first Monday in June (*Primary date in 2016*), or on the third Tuesday in June (SDCL 13-7-10.1).
3. On even numbered years, you may combine with the Primary Election on the first Tuesday after the first Monday in June (SDCL 13-7-10.3). Follow Title 12 for election dates.

Election Types and Dates

Combining Elections

- Any election may be combined if deadlines permit ([SDCL 12-2-6](#))
- Have a written agreement with contingencies if one jurisdiction doesn't have an election, how you will handle absentee voting, will you combine notices, do you print in the same paper etc.
- Pay attention to the deadlines with Primary and General Elections

Election Types and Dates

Benefits of Combining Elections

- Popular option
- Increase voter turnout
- Fewer trips to the polls
- Shared election board workers
- Time and money saver

Notify the Secretary of State's office of your election date.

12-2-7: If any political subdivision of the state sets a date and time for conducting a public election, within 15 days the person in charge of the election shall notify the Secretary of State in writing or by telephone or by e-mail.

Note: In order to facilitate contact between your precinct election board and the county auditor, be sure that your polling place has phone service. Also, at least a week before the election request that the county auditor be available for calls before 8:00am or after 5:00pm while your polls are open (SDCL 7-7-2).

Public Notices

All notices are listed on the Election Calendar!

- All public notices required by law by jurisdiction, shall include an inscription listing the approximate cost of the newspaper publication
- This inscription shall be printed in the same type size as the body of the notice and located at the top or bottom of the public notice (SDCL 17-2-28).

PUBLIC NOTICES

- **Notice of Vacancy** (*two notices to publish*)
 - School Board (ARSD 5:02:04:14)
 - Municipalities (ARSD 5:02:04:06)
- **Notices of Deadline for Voter Registration** (*two notices to publish*)
 - (ARSD 5:02:04:04)
- **Notices of Election**
 - School Board (ARSD 5:02:04:15)
 - Municipalities (ARSD 5:02:04:08)
- Publish **facsimile ballot** in the calendar week prior to the election (SDCL 12-16-16).

PUBLIC NOTICES

What if I Missed a Notice?

- Do not panic!
- Be sure to inform your attorney and follow his/her advice.
- Have the paper publish the missed notice if there is still time before the deadline.
- Post the notice in areas within your jurisdiction.
- Mail notice to all residents or registered voters.
- The election may be challenged due to the missed or incorrect notices.

Questions?

Who Can VOTE?

Voter registration and residency

Voter Registration Locations

- County auditor's office
- **City finance office – you are an official voter registration location** (*duty to insure the form is complete, SDCL 12-4-7.2*)
- Driver's license station
- Public assistance agencies providing food stamps, TANF or WIC
- Department of Human Services offices which provide assistance to the disabled
- Military recruitment offices
- Secretary of State's Office
- Mail-in registration with cards from the county auditor's office
- Download registration card from internet (www.sdsos.gov)

Voter Registration Process

- Ways for someone to register to vote
 - Drivers Licensing application
 - There is a section to register to vote.
 - This voter registration information can be electronically sent to the County Auditor.
 - If a Driver's Licensing exam station only has the ability to take paper applications then the voter registration process takes a little longer because the paper application has to be sent to Pierre to be hand entered.
 - Voter Registration Application (paper)

Voter Registration Process *cont'd*

- The voter's registration date is the date the County Auditor receives the application, not the date the voter signs the card.
 - Business Managers: if a voter comes in to register to vote on the deadline day for voter registration, you may want to suggest they take their application directly to the County Auditor as you aren't required to deliver that application by 5:00 pm on the deadline in order for that voter to vote at the upcoming election
 - Finance Officers: if a voter comes in to register on the deadline day you are able to mail or deliver the application after the deadline has passed and the voter would still be registered in time to vote in the upcoming election (SDCL 12-4-5)
- If a Voter's information is incomplete the County Auditor will send them an Incomplete notice.

Voter Registration Process *cont'd*

- The voter registration information is entered into TotalVote which is the statewide voter file system
- The voter file goes through nightly checks
 - **UJS** – felony check, mental competency
 - **Vital Records** – death records
 - **Social Security Administration** – valid social security number
 - **Drivers Licensing** – valid drivers license
- If a voter is flagged regarding any of these checks the county auditor is notified and will review and proceed accordingly

The voter file, every odd year, goes through a **list maintenance** process that cleans up the voter file. This is done by the County Auditors.

SDCL 12-4-5. Entry of applicants on registration lists

The county auditor shall enter in the master registration file the names of all eligible persons who have had their completed applications for registration and mail registration cards received by any county auditor or any local, state, or federal agency responsible for conducting voter registration under this chapter not later than **5:00 p.m. fifteen days preceding the election.**

However, any completed mail registration card mailed to the appropriate county auditor and postmarked not less than thirty days preceding an election shall be added to the registration file. **Voter registrations completed at any local, state, or federal agency during any given week commencing on Tuesday through the following Monday shall be sent to the appropriate county auditors no later than the following Wednesday.** The State Board of Elections may promulgate rules, pursuant to chapter 1-26, for the alternative transmission of voter registration information by computer from the agency to the secretary of state. The name of any voter who has registered to vote by 5:00 p.m. fifteen days preceding the secondary election shall be added to the file used for the secondary election.

FYI - Active vs. Inactive Voters

Active voter: any voter who has voted or updated his/her voter registration information in the last four years.

Inactive voter: Any voter who has not voted or updated his/her voter registration information in the last four years.

- Active and Inactive voters can sign petitions
- Inactive voters can vote but are required to fill out a new voter registration card prior to voting
- When Auditor's calculate the number of signatures required for a petition, they only calculate that against active voters
- When the Auditor calculates voter turnout for the election, they only calculate that against active voters
- SDCL 12-4-34. Registered voters referred to in other statutes. If a statute refers to registered voters, it does not include those in the inactive registration file unless specifically included. However, any voter in the inactive registration file may sign a petition.

VOTER REGISTRATION AND RESIDENCY

Municipal Requirements

- Registration and residence required to vote in a municipal election (SDCL 9-13-4.1).
 - No person may vote at any municipal election unless the person is registered to vote pursuant to Chapter 12-4 and resides in the municipality at the time of the election.
 - A person resides in the municipality if the person actually lives in the municipality for at least thirty days each year, is a full-time postsecondary education student who resided in the municipality immediately prior to leaving for the postsecondary education, or is on active duty as a member of the armed forces whose home of record is within the municipality.
 - The residency requirement only applies to city and school elections.

VOTER REGISTRATION AND RESIDENCY

School Requirements

- Registration and residence required to vote in school election. (SDCL 13-7-4.2)
 - No person may vote at any school election unless the person is registered to vote pursuant to Chapter 12-4 and resides in the school district at the time of the election.
 - A person resides in the school district if the person actually lives in the school district for at least thirty days each year, is a full-time postsecondary education student who resided in the school district immediately prior to leaving for the postsecondary education, or is on active duty as a member of the armed forces whose home of record is within the school district.
 - The residency requirement only applies to city and school elections.

VOTER REGISTRATION AND RESIDENCY

Important Reminders

- Voter registration deadline is 5:00 p.m. fifteen days preceding the election (SDCL 12-4-5).
- It shall be the duty of officials in charge of local elections to notify the county auditor at least thirty days preceding their local elections, of the precinct boundary changes if any have been made (SDCL 12-14-1.1).
- When the boundaries of any election precinct shall be changed, the county auditor shall immediately change the registration list (SDCL 12-4-11).

Questions?

Candidate Eligibility Requirements

CANDIDATE ELIGIBILITY REQUIREMENTS

Municipalities

- Must have resided in the municipality for three months immediately prior to the election (SDCL 9-14-2).
- May not be a defaulter to the municipality (SDCL 9-14-2).
 - See SDML Handbook for Municipal Officials for definition and supporting Attorney General Opinions.
- Reside in the Ward they are seeking election to.
- A nominating petition must be filed or a vacancy is created (SDCL 9-13-14.3)

CANDIDATE ELIGIBILITY REQUIREMENTS

Schools

- Cannot be a teacher in the district they are seeking election to (SDCL 13-43-1).
- If representation areas exist, a school board member candidate must reside within the school board member representation area (SDCL 13-8-7.1).
- Must be a **resident voter** of the school district they are seeking nomination to (SDCL 13-7-6).
- Candidate should review SDCL 13-7-3 and determine if any other duties or offices they hold would be incompatible with a school board membership.

Questions?

Petitions

Prescribed by the State Board of Elections and are found in ARSD 5:02:08.

Petitions forms have been updated in 2015:

- Nominating petition for **school board** member (ARSD 5:02:08:11).
- Nominating petition for **municipal election** (ARSD 5:02:08:13).
- Election official has to be available until 5:00 pm on the deadline day
- **CANDIDATES** plan ahead on who will notarize your declaration of candidacy. *Snow birds have limited options on who is able to notarize their petition when they are in another state.* SDCL 18-3-1 and 13-8-15 outline who is authorized.

PETITIONS

Signature Requirements

- **1st and 2nd class municipalities** (SDCL 9-13-9):
 - 15 registered voters per 1,000 population (*based off of most recent census*).
 - Ward: 5% of registered voters based off of the total number of registered voters voting in the ward at the last general election (*get this number from the County Auditor; calculated from active voters, SDCL 12-4-34*).
 - No petition needs to be signed by more than 50 voters.
 - Voter can only sign as many petitions as there are positions.
- **3rd class municipalities** (SDCL 9-13-9):
 - 10 registered voters for citywide and 5 for a ward.
 - Voter can sign more than one petition.
- **School** (SDCL 13-7-6):
 - 20 registered voters.
- Inactive and Active voters can sign petitions (SDCL 12-4-36).

PETITIONS

Filing Procedure

- Date stamp and time stamp received petitions.
- Verify signatures pursuant to ARSD 5:02:08:00 and 5:02:08:00.01.
- **Check voter registration status of signers for school board member petitions.**
 - Cities are not required to check voter registration status.
 - NOTE: The SD Secretary of State's office does not check voter registration status of signers unless required by law. Law requires this be done in random sampling of Ballot Questions and Statewide races. Status is not checked for Legislative races.
- File completed petitions.
 - Date and time stamp each petition.

PETITIONS

Guidelines for Acceptance

- ARSD 5:02:08:00
- The petition is in the form required by this chapter;
- The petition contains the minimum number of valid signatures, counted according to 5:02:08:00.01. One or more invalid signatures on a petition section do not disallow other valid signatures on the section;
- Each section of the petition contains an identical heading and is verified by the circulator. The circulator may add the addresses of the petitioners and the dates of signing before completing the verification. The circulator may also add the printed name of the signer and the county of voter registration. Residence addresses may be abbreviated. The verification was completed and signed before an officer authorized to administer oaths;

PETITIONS

Guidelines for Acceptance

- The declaration of candidacy contains the original signature of the candidate. Additional sections may have an original or photocopied signature of the candidate;
- If a petition is for a ballot question to be voted on statewide, the signatures were obtained after a copy of the text of the petition was filed with the secretary of state;
- The governing board or person authorized by statute to accept the petition shall, if requested, allow a petition circulator the opportunity to add missing information on the signature lines or circulator's verification on his or her petition provided the filing deadline has not passed; and
- Following the presentation of the petition for filing, names may not be removed from the petition.
- Except for petitions to nominate candidates for school boards, the person who is authorized to accept petitions for filing need not check for voter registration of the signers.
- Petitions containing signatures in excess of the minimum number may be filed, but the excess signatures will be disregarded (ARSD 05:02:08:00.04).

PETITIONS

City and School Lookup Site

● URL: cityandschoollookup.sdsos.gov

- We will be resetting all usernames and passwords before the end of 2015. We will send you notification via email as soon as we've done the reset. The generic city/city and school/school is no longer valid.
- Notification will go to the Finance Officer and the School Business Manager. Should you want additional usernames and passwords for staff we will be able to do that.
- This URL is not to be shared with anyone. And should only be used for petition signature checking. This should not be used by anyone for personal reasons. Candidates or elected officials do not have the authority to access this information.

PETITIONS

Guidelines for Counting Signatures

- ARSD 5:02:08:00.01
- The form of the petition does not meet the requirements of this chapter;
- The circulator's verification is not completed or is improperly completed, according to subdivision 5:02:08:00(3) unless the missing information is completed elsewhere on the petition sheet. A completed circulator's verification must include the printed name of the circulator, the circulator's residence address as provided in subdivision 5:02:08:00.01(2)(c), and complete date; or
 - *The Title of the Officer Administering the Oath is not required but it is helpful to have that filled out*
- The declaration of candidacy has not been completed on or after the first date authorized by statute to circulate the petition, and signed by the candidate and the signature witnessed by an official empowered to administer oaths in South Dakota; or
- The circulator's verification was signed by more than one circulator; and

Guidelines for Counting Signatures

- NOMINATING PETITION FOR PARTISAN ELECTION REPUBLICAN PARTY

WE, THE UNDERSIGNED qualified voters of Legislative District 10 of South Dakota and members of the Republican Party, nominate Gene G. Abelson, of Lincoln County, South Dakota, whose mailing address is 4804 S Glenview Road, Sioux Falls, SD 57108, as a candidate for the office of State Senate, District 10 at the Primary Election to be held June 4, 2002.

1948 1 1 1948

Swear to before me this 5th day of February, 2003.

My Commission Expires September 17, 2007.

INSTRUCTIONS TO SIGNEES

2. Before the petition is filed, each signor of the Governor must add the residence address of the signor and the date of signing. If the signor is a resident of a second class city or municipality, a post office may be used for the residence address.

[illegible]

NAME	RESIDENCE	DATE/COUNTY
SIGN 1. <u>Les Korse</u>	STREET AND NUMBER OF RESIDENTIAL ROUTE AND BOX NUMBER 1716 S. American Cir	DATE OF SIGNING 4/22/09
PRINT 2. <u>James Smith</u>	CITY OR TOWN Sioux Falls SD	COUNTY OF REGISTRATION Minnehaha
SIGN 3. <u>Brian Asse</u>	STREET AND NUMBER OF RESIDENTIAL ROUTE AND BOX NUMBER 2126 S. Drive	DATE OF SIGNING 4/22/09
PRINT 4. <u>Carey Brynteson</u>	CITY OR TOWN Sioux Falls SD	COUNTY OF REGISTRATION Minnehaha
SIGN 5. <u>Carey Brynteson</u>	STREET AND NUMBER OF RESIDENTIAL ROUTE AND BOX NUMBER 304 N. Hiwanis Ave	DATE OF SIGNING 4/28/09
PRINT 6. <u>Carey Brynteson</u>	CITY OR TOWN Sioux Falls SD	COUNTY OF REGISTRATION Minnehaha

VERIFICATION BY PERSON CIRCULATING PETITION

INSTRUCTIONS TO CIRCULATOR: This section must be completed following circulation and before filing.

Print name of the circulator Dustin Wastell Residence Address 314 Birch Ave City Brookings State SD

I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, that I made reasonable inquiry and to the best of my knowledge each person signing the petition is a qualified voter in the county indicated on the signature line, that no state statute regarding petition circulation was knowingly violated, and that either the signer or I added the printed name, the residence address of the signer, the date of signing, and the county of voter registration.

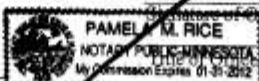
Dustin Wastell, IO - Driver's License Signature of Circulator Dustin Wastell

Sworn to before me this 16 day of June, 2009.
(Seal)

My Commission Expires 1-31-12

Form Revised 2007 - 5-02-08-08

Pamela Rice



Signature of Officer Administering Oath

Administering Oath

NAME	RESIDENCE	DATE/COUNTY
SIGN 1. <u>Kristin Mattson</u>	STREET AND NUMBER OF RESIDENTIAL ROUTE AND BOX NUMBER 3440 Concord	DATE OF SIGNING 4/11/09
PRINT 2. <u>Chris Mattson</u>	CITY OR TOWN Rt 50	COUNTY OF REGISTRATION Penn
SIGN 3. <u>Chris E. Mattson</u>	STREET AND NUMBER OF RESIDENTIAL ROUTE AND BOX NUMBER Ditto	DATE OF SIGNING 4/11/09
PRINT 4. <u>Chris E. Mattson</u>	CITY OR TOWN Ditto	COUNTY OF REGISTRATION Penn
SIGN 5. <u>Chris E. Mattson</u>	STREET AND NUMBER OF RESIDENTIAL ROUTE AND BOX NUMBER 3721 Screensby Lane	DATE OF SIGNING 4-11-09
PRINT 6. <u>Chris E. Mattson</u>	CITY OR TOWN Rt 50	COUNTY OF REGISTRATION PENN

VERIFICATION BY PERSON CIRCULATING PETITION

INSTRUCTIONS TO CIRCULATOR: This section must be completed following circulation and before filing.

Print name of the circulator Peggy Clarke Residence Address 10165+ Rt 71 City Reynolds State SD

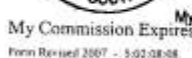
I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, that I made reasonable inquiry and to the best of my knowledge each person signing the petition is a qualified voter in the county indicated on the signature line, that no state statute regarding petition circulation was knowingly violated, and that either the signer or I added the printed name, the residence address of the signer, the date of signing, and the county of voter registration.

Signature of Circulator Peggy Clarke

Sworn to before me this 28 day of MAY, 2009.

My Commission Expires February 12, 2015

Form Revised 2007 - 5-02-08-08



Signature of Officer Administering Oath

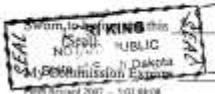
Title of Officer Administering Oath

VERIFICATION BY PERSON CIRCULATING PETITION

INSTRUCTIONS TO CIRCULATOR: This section must be completed following circulation and before

filing Kyle Corwin 2802 W. RIVERS ST. Brookings SD 57702
Print name of the circulator Residence Address City State

I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, that I made reasonable inquiry and to the best of my knowledge each person signing the petition is a qualified voter in the county indicated on the signature line, that no state statute regarding petition circulation was knowingly violated, and that either the signer or I added the printed name, the residence address of the signer, the date of signing, and the county of voter registration.



Sworn to before me this 16 day of June, 2009
(Seal)

Kyle Corwin
Signature of Circulator

[Signature]
Signature of Officer Administering Oath
[Signature]
Title of Officer Administering Oath

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VERIFICATION BY PERSON CIRCULATING PETITION

INSTRUCTIONS TO CIRCULATOR: This section must be completed following circulation and before

filing BOYO GELLEGAN 507 STATE AVE E Estelline SD
Print name of the circulator Residence Address City State

I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, that I made reasonable inquiry and to the best of my knowledge each person signing the petition is a qualified voter in the county indicated on the signature line, that no state statute regarding petition circulation was knowingly violated, and that either the signer or I added the printed name, the residence address of the signer, the date of signing, and the county of voter registration.

Sworn to before me this 4 day of MAY, 2009
(Seal)

My Commission Expires 12-13-13
Form Revised 2007 - 5/02/08/08

[Signature]
Signature of Circulator

[Signature]
Signature of Officer Administering Oath
[Signature]
Title of Officer Administering Oath

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1 SIGN	<u>Paul Lyken</u>	<u>VERIFICATION BY PERSON CIRCULATING PETITION</u>	<u>COONINGTON</u>
2 PRINT	<u>Orville Roberts</u>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
3 SIGN	<u>Andrey Luban</u>	<u>415 6TH ST NE</u>	<u>4-14-09</u>
4 SIGN	<u>Audrey Lyken</u>	<u>Waterbury, ID</u>	COUNTY OF REGISTRATION
5 SIGN	<u>VERA LYKEN</u>	<u>1625 Northridge Dr #312</u>	<u>Coconino</u>
6 SIGN	<u>VERA LYKEN</u>	<u>Waterbury SD</u>	DATE OF SIGNING
7 SIGN	<u>VERA LYKEN</u>	<u>1625 Northridge Dr #312</u>	<u>4-14-09</u>
8 SIGN	<u>VERA LYKEN</u>	<u>Waterbury SD</u>	COUNTY OF REGISTRATION
9 SIGN	<u>VERA LYKEN</u>	<u>1625 Northridge Dr #312</u>	<u>Coconino</u>
10 SIGN	<u>VERA LYKEN</u>	<u>Waterbury SD</u>	DATE OF SIGNING

VERIFICATION BY PERSON CIRCULATING PETITION

INSTRUCTIONS TO CIRCULATOR: This section must be completed following circulation and before

filing Paul Lyken 550 Summit Ave NW Watertown SD
Print name of the circulator Residence Address City State

I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, that I made reasonable inquiry and to the best of my knowledge each person signing the petition is a qualified voter in the county indicated on the signature line, that no state statute regarding petition circulation was knowingly violated, and that either the signer or I added the printed name, the residence address of the signer, the date of signing, and the county of voter registration.

Paul Lyken
Signature of Circulator

Sworn to before me this 16 day of April, 2009
(Seal)

My Commission Expires 8/13/09
Form Revised 2007 - 5/02/08/08

Andrey Luban
Signature of Officer Administering Oath
Notary
Title of Officer Administering Oath

VERIFICATION BY PERSON CIRCULATING PETITION

INSTRUCTIONS TO CIRCULATOR: This section **must** be completed following circulation and before filing.

Print name of the circulator BARBARA J EDWARDS Residence Address 12170 Camp Rd City Custer State SD

I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, that I made reasonable inquiry and to the best of my knowledge each person signing the petition is a qualified voter in the county indicated on the signature line, that no state statute regarding petition circulation was knowingly violated, and that either the signer or I added the printed name, the residence address of the signer, the date of signing, and the county of voter registration.

Signature of Circulator

Sworn to before me this _____ day of _____, _____
(Seal)

Signature of Officer Administering Oath

My Commission Expires _____

Form Revised 2007 - 5:02:08:08

Title of Officer Administering Oath

NAME	RESIDENCE	DATE/COUNTY
<u>Jennifer Slate</u>	<u>118 Curlie St</u>	<u>7/27/15</u>
<u>Tom & Lucy Leano</u>	<u>101 Winter St</u>	<u>27 July 15</u>
<u>Tom & Lucy Leano</u>	<u>Yankton SD</u>	<u>27 July 15</u>
<u>Sandra Jensen</u>	<u>158 Hidden Hollows</u>	<u>7/27/15</u>
<u>Jeannine Devine</u>	<u>Yankton SD 57078</u>	<u>Yankton</u>
<u>Jeannine Devine</u>	<u>919 EAST 16th ST</u>	<u>8/5/15</u>
<u>Kyle Lichty</u>	<u>Yankton SD 57078</u>	<u>Yankton</u>
<u>Louise Lichty</u>	<u>110 Curlie St</u>	<u>8/8/15</u>
<u>Louise Lichty</u>	<u>Yankton SD 57078</u>	<u>Yankton</u>
<u>Douglas E. Kottan</u>	<u>30229 43rd</u>	<u>8-9-15</u>
<u>Douglas E. Kottan</u>	<u>Yankton SD 57067</u>	<u>Yankton</u>

PETITIONS

Important Reminders

- Give petition processing top priority.
- Check registration and residency of candidate.
 - Not required for cities to do this but if you do, do it for all signers on all petitions.
- Candidate cannot notarize their own petition but they can circulate and sign their own petition.
- Notify candidate that petition was filed or rejected.
- Finance Officers, Business Managers and School Board Presidents may notarize documents without being a notary (SDCL 18-3-1 and 13-8-15)

PETITIONS

Petition Challenge Law

- SDCL 12-1-13
- Any person may challenge within 5 working days after any type of petition is filed or rejected.
- Must file affidavit stating deficiencies.
- Person in charge of the election verifies information provided in affidavit.
 - Work with your attorney.
- Notify petitioner if petition is rejected based on the challenge.
- Does not prevent any other legal remedy (SDCL 12-1-16)

Questions?

Vacancies

How are Vacancies Created on City Councils?

- SDCL 3-4-1
 - RESIGNATION
 - Change of residence
 - Death
 - Removal from office
 - Failure to qualify
 - Criminal conviction involving violation of oath
 - Judgment against incumbent for breach of bond
- Military call up (SDCL 3-4-8)
- Incapacitation- *by illness or accident* (SDCL 3-4-9)

How are Municipal Vacancies Filled?

- Appointment SDCL 9-13-14.1
- Special Election SDCL 9-13-14.2
- Temporary Replacement SDCL 3-4-8, 3-4-9

VACANCIES

Filling Municipal Vacancy by Appointment

- SDCL 9-13-14.1
- Appointment
 - Remember in Aldermanic form the appointment must be from the same ward
 - Easier, faster process and less costly
- Remaining members shall appoint a replacement to serve until the next annual municipal election
 - Keep track of the terms when there has been an appointment
 - The Mayor can make a recommendation but the remaining members vote
 - There are no advertising rules
 - Discourage councils from waiting until the next annual election to fill the position

VACANCIES

Filling Municipal Vacancy by Special Election

- Governing body creates an ordinance requiring that any vacancy on the governing board or in the office of the Mayor is to be filled by special election.
- The ordinance must be enacted prior to the vacancy.
- Election not to be held less than 90 days before the annual municipal election.
- Finance Officer will publish a notice that a vacancy exists and will be filled by special election, the date of election, time and place where nominating petitions may be filed for the office. Nominating petitions prepared and filed as usual according to [SDCL 9-13-7](#), and filed at least 30 days before the date of the elections.
- Notice of special election published as usual according to [SDCL 9-13-13](#) and [9-13-14](#).

VACANCIES

Filling Municipal Vacancy by Temporary Replacement

- In the cases of Military call-up (SDCL 3-4-8) or Incapacitation (SDCL 3-4-9):
 - The member temporarily resigns
 - A temporary replacement is made by appointment
 - The replacement serves until the original member returns or the member's term expires, whichever comes first.
 - If the replacement serves until the original member's term expires and no one files for the position, then a vacancy is created. The temporary replacement would then need to be re-appointed if they wanted to continue to serve.

WHAT IF NO ONE FILES a Municipal Nominating Petition?

- NEW LAW PASSED DURING the 2014 LEGISLATIVE SESSION SDCL 9-13-14.3
 - If for any reason a municipality fails to elect any person to succeed an elected official whose term has expired or an elected official fails to file a nominating petition or qualify, the office is deemed vacant.
 - The elected official whose term has expired shall continue to act in an official capacity until the vacancy is filled by election or appointment pursuant to 9-13-14.1 or 9-13-14.2.

VACANCIES

How are Vacancies Created on School Boards? *SDCL 13-8-23*

- Death
- Removal from the board
- Failure to qualify as provided by law
- Ceases to be a **resident*** of the school district or representation area where elected
- Conviction of any infamous crime or of any offense involving a violation of the member's official oath
- Has a judgment obtained against the member for breach of the member's official bond
- Is incapacitated and is unable to attend to the duties of the position
- Assumes the duties of an office incompatible with the duties of a school board member
- Resignation

***Note:** this says "resident" not "resident voter" which is the language for a candidate to qualify for office.

VACANCIES

How are School Vacancies Filled?

- Any vacancy occurring on a school board shall be **filled by appointment** by the remaining school board members.
 - In the case of a resignation the member resigning could be involved in selection of his successor (SDCL 13-8-25(3))
 - A resignation shall not be effective until the successor is appointed and qualified as prescribed by law (SDCL 13-8-24).
- In the cases of Military call-up (SDCL 3-4-8) or Incapacitation (SDCL 3-4-9):
 - The member temporarily resigns
 - A temporary replacement is made by appointment
 - The replacement serves until the original member returns or the member's term expires, which ever comes first.
 - If the replacement serves until the original members term expires and no one files for the position, then a vacancy is created. The temporary replacement would then need to be re-appointed if they wanted to continue to serve.
- The appointee will serve until the next succeeding election at which time a successor shall be elected to serve the unexpired term (SDCL 13-8-25).

Questions?

Ballot Preparation

- Types of ballots:
 - Paper Ballots – make your own or have them professionally printed.
 - Automated Tabulating System Ballots (optical scan).
- Candidate order:
 - Have witnesses present when drawing
 - Schools – draw by lot (SDCL 13-7-13).
 - Municipalities – draw by lot (SDCL 9-13-21).
- Spell names exactly as they appear on the petition.
- Do not include titles or political party affiliation.

BALLOT PREPARATION

Ballot Form:

- Municipality (ARSD 5:02:06:12)
- School (ARSD 5:02:06:15)
- Special Election (ARSD 5:02:06)
- If a combined election:
 - One of the ballots will be white.
 - Contrasting colors for the other ballots.
 - Cannot use yellow ballots
- Indicate type of position being voted for and length of term.
- Neat and not confusing!

IMPORTANT RECOMMENDATION

**PROOFREAD the
BALLOT!**

OFFICIAL MUNICIPAL ELECTION BALLOT
_____, SOUTH DAKOTA
(Election Date)

To vote use a cross (X) or check mark (✓) in the square in front of the name. DO NOT cast more votes than are allowed in each race.

For Mayor, you may vote for one or leave it blank.

- ☐ John Doe
- ☐ Richard Roe

For (City Commission, Alderman, Trustee), _____ year term, you may vote for up to _____ or leave it blank

- ☐ John Doe
- ☐ Richard Roe
- ☐ John Smith

For (City Commission, Alderman, Trustee), _____ year term, you may vote for one or leave it blank.

- ☐ John Doe
- ☐ Richard Roe
- ☐ John Smith

OFFICIAL SCHOOL BOARD ELECTION BALLOT
_____ SCHOOL DISTRICT NO. _____, SOUTH DAKOTA
(Election Date)

To vote use a cross (X) or check mark (✓) in the square in front of the name. DO NOT cast more votes than are allowed in each race.

For School Board Member _____ year term, you may vote for up to _____ or leave it blank.

- ☐ John Doe
- ☐ Richard Roe
- ☐ John Smith

5:02:06:01.02. Optical scan ballot instructions

The instructions to voters found on optical scan ballots shall be enclosed in a box and placed at the top of the first column and at the beginning of the portion containing other candidates and the portion containing ballot questions. The instructions for all elections must be in either of the following forms:

3. To vote for a person FILL IN (Bold) the oval (●) next to the name.
4. To vote on a ballot question FILL IN (Bold) the oval (●) next to "yes" or "no".
5. Use only a pencil or pen.
6. If you make a mistake, give the ballot back and get a new one.
7. DO NOT (Bold) cast more votes than are allowed in each race.

Printers note: Subdivisions 5 and 6 shall be included in the first instruction box only. For subdivision 5, specify "pencil or pen", "pencil" or "pen" as appropriate for your system. If the ballot has columns, the words "Go to the top of next column" shall be printed on the bottom of any column preceding each column to be voted. If the ballot has races on the back side, the words "Turn page" shall be printed on the lower right corner.

Questions?



“Welcome to the Election School!”

“Let me first offer my thanks to you for being a precinct worker. Without you it would be impossible to conduct free and fair elections in our state. Your responsibility is great.

Poll Worker Training

Prior to each election, training is to be conducted by the person in charge of the election (*County Auditor, Municipal Finance Officer, School Business Manager*) **and assisted by the jurisdiction's attorney.**

SDCL 12-15-7 and 12-1-2.

Poll Worker Conduct

Professional - You are conducting the most essential element of our democracy. Work and act accordingly.

On time - Arrive at the polling place at the time provided.

Leave “partisan” leanings at the door - All of us have our favorite candidate or position on a ballot question. That's OK. When you are an election official, however, none of your personal preferences can show while you are working.

Treat every voter fairly and with respect - Nothing shakes a voter's confidence in the integrity of the election more than when a precinct worker treats them or their ballot unfairly.

Work as a team - Your work will be more enjoyable and the voters will be better served.

Poll Hours

- All elections: 7:00am to 7:00pm legal time
- Be sure the polling place clock is set to the correct time!
- No earlier than twenty-four hours before the polls open, the person in charge of the election may call a special emergency meeting, pursuant to SDCL 1-25-1 and 1-25-1.1, of the local governing board to postpone any election, except a primary or general election, for one week if the weather conditions put into question the opening of a polling place. The polling place shall then remain open for the same number of hours as it would normally have been open. Absentee voting shall continue pursuant to chapter 12-19. (SDCL 12-2-8)
- Voters waiting in line at 7:00pm are allowed to vote.
- Precinct workers may not leave polling place while polls are open.

Poll Hours *cont'd*

- Notwithstanding § 12-2-3, the county auditor may, upon request of the superintendent of an election precinct, if an emergency exists by reason of mechanical failure of a voting machine or an unanticipated shortage of ballots or like unforeseen event warrants it, extend the polling hours for that precinct until the emergency situation has been resolved. If the emergency situation is not resolved within two hours, except for a primary or general election, the polling place shall remain closed for one week and reopen at the time of the closure of the polling place.(SDCL 12-2-4)

Poll Worker Responsibilities

Precinct Superintendent

- In charge of the polling place
- Designates election board duties to each election worker
- Duties would include:
 - Registration list
 - Poll book
 - Stamping ballots
 - Handing out ballots
 - Observing returned ballots for a ballot stamp before they are placed in the ballot box
- If you are using the AutoMARK voter assist terminal, refer to slides 19-22 for the AutoMARK procedures.

Poll Worker Responsibilities

Precinct Deputies

- Perform duties assigned by the superintendent
- Duties may rotate throughout election day if directed by the precinct superintendent
- Precinct worker in charge of the pollbook must be of a different political party than worker in charge of registration list
 - This does not pertain to city and school elections unless they are combined with the County and then the County Auditor would follow this rule.

No Campaigning (SDCL 12-18-3)

- Before the opening of the polls and throughout election day the 100 foot area surrounding the entrance to the polling place must be checked to be sure it is free of campaign materials.
- The importance of keeping the polling place free from advertising cannot be stressed enough.
- The polling place includes where absentee voting takes place.
- No campaign advertising, signs, buttons, articles of clothing or any other type of campaigning may be in the polling place or within 100 feet of the entrance to the polling place.

No campaigning *cont'd*

- Periodically view each polling booth (when empty) to make sure that no campaign materials are left there.
- If any campaign materials are found they should be removed. If some person is campaigning or wearing campaign advertising they must be stopped or asked to exit the area.

- A candidate who is on the ballot in your precinct may **only** be present long enough to cast their vote.
- If anyone persists with campaign activities within the prohibited area, law enforcement should be called to deal with the situation.



Poll Watchers

- Poll watchers work for a candidate or to monitor activity at the polling place.
- Election board workers may not be poll watchers.
- Poll watchers must be allowed to be positioned close enough to the election worker's table so that they can see and hear what is going on but not so that they interfere in any way.
- Poll watchers **may** converse with the election board and look at the pollbook if it doesn't interfere with the voting process.
- Poll watchers **may not** campaign in any way within the polling place, touch any election supplies or control the legal actions of the election board!
- Provide each poll watcher with a copy of the *South Dakota Poll Watcher and Observer Guidelines* as shown on the next screen.
- Voters cannot take a picture of voted ballot SDCL 12-18-3





South Dakota Secretary of State
SHANTEL KREBS

SOUTH DAKOTA POLL WATCHER AND OBSERVER GUIDELINES

South Dakota law allows poll watchers and observers to be present to observe the voting and counting activity at polling places and provides guidelines for poll watchers and observers. (SDCL 12-18-2.7, 12-18-3, 12-18-7)

Any person present at a polling place to observe who does not declare themselves to represent one of the categories below is not a poll watcher but is an observer. ARSD 05-02-12 establishes the number of poll watchers allowed at each polling place for the following elections:

- **Primary** - ONE for each candidate, ONE for each state of national convention delegates, ONE for each side of any ballot issue;
 - **General** - ONE for each party, ONE for each independent candidate, ONE for each side of presidential election, ONE for each side of any ballot issue.
- (Additional poll watchers are allowed if "adequate space" permits)*

Those NOT allowed as Poll Watchers:

- Election Board Workers
- Candidates on the ballot (cannot be an Observer either)

Poll watchers must be positioned in a location where they can plainly see and hear what is done within the polling place but may not interfere in any way (SDCL 12-18-2). Poll watchers and observers may converse with the election board and look at the pollbook only if it doesn't interfere with the voting process.

Within 100 feet of a polling place (includes observer using polling place), poll watchers and observers **MAY NOT** do any of the following (SDCL 12-18-3, 12-18-4, 12-18-21, 12-25-22):

- Campaign or wear buttons or clothing containing campaign information
- Solicit votes for or against any person, political party or ballot question position
- Maintain an "office or public address system"
- Interfere with a voter's free access to the polling place
- Interfere with the officials actions of the election board
- Disrupt the administration of the polling place
- Use any communication or photographic device in any manner which repeatedly distracts, interrupts or intimidates any voter or election worker
- See into voting booths, read identifying numbers on a photo identification card or interfere with voters in the act of voting or with the official action of the election board
- Display a lawful command of any election worker
- Cause a disturbance or breach of peace
- Engage in disorderly conduct such as threatening behavior or making unreasonable noise
- Gather petition signatures
- Use the polling place telephone designated for the election board
- Take any unilateral steps to change any action, motion or activity occurring at the polling place
- Advocate for or against a voter as the voter interacts with the election board

If a poll watcher or observer has a concern or question about any action occurring in the polling place, that person should bring this concern to the attention of the precinct superintendent. It is then the superintendent's responsibility to respond to that question or concern.

Election Day Procedures

The following pages will show you each of the activities that you will perform throughout election day. We will begin by looking at those things that must be done before the polls open, continue through election day and finish with the counting of the votes and election supply cleanup.

Before the Polls Open

- Count ballots and verify number of ballots against ballot receipt.
- Display American flag inside or outside polling place.
- Display a “Vote Here” or similar sign outside the polling place.
- Prepare voting booths and supplies.

Poll workers will all take the oath of office found inside the pollbook.

OATH OF JUDGES AND CLERKS OF ELECTION

STATE OF SOUTH DAKOTA } ss. I, _____ do solemnly
 swear (or affirm), that I will perform the duties of Judge according to law and the best of my ability; and
 that I will studiously endeavor to prevent fraud, deceit and abuse in conducting the election about to be
 held.

Subscribed and sworn to before me, _____
 _____ 18____

STATE OF SOUTH DAKOTA } ss. I, _____ do solemnly
 swear (or affirm), that I will perform the duties of Judge according to law and the best of my ability; and
 that I will studiously endeavor to prevent fraud, deceit and abuse in conducting the election about to be
 held.

Subscribed and sworn to before me, _____
 _____ 18____

STATE OF SOUTH DAKOTA } ss. I, _____ do solemnly
 swear (or affirm), that I will perform the duties of Judge according to law and the best of my ability; and
 that I will studiously endeavor to prevent fraud, deceit and abuse in conducting the election about to be
 held.

Subscribed and sworn to before me, _____
 _____ 18____

STATE OF SOUTH DAKOTA } ss. I, _____ do solemnly
 swear (or affirm), that I will perform the duties of Clerk according to law and the best of my ability; and
 that I will studiously endeavor to prevent fraud, deceit and abuse in conducting the election about to be
 held.

Subscribed and sworn to before me, _____
 _____ 18____

STATE OF SOUTH DAKOTA } ss. I, _____ do solemnly
 swear (or affirm), that I will perform the duties of Clerk according to law and the best of my ability; and
 that I will studiously endeavor to prevent fraud, deceit and abuse in conducting the election about to be
 held.

Subscribed and sworn to before me, _____
 _____ 18____

Before the Polls Open

Precinct superintendent will sign receipt for official ballots and election supplies. ARSD 5:02:07:08

STATE OF SOUTH DAKOTA)
COUNTY OF _____)

I, _____, Superintendent of Election in and for the voting precinct of _____ in said County, do hereby certify that on the _____ day of _____, 20____, at the hands of _____ (Auditor, Sheriff), by _____, his deputy, of said County, I received a sealed package said to contain official ballots and necessary supplies for the use of the voters of said precinct at the _____ election to be held on Tuesday the _____ day of _____, 20____.

Dated this _____ day of _____, 20____.

SUPERINTENDENT OF ELECTION

Before the Polls Open

Precinct election board will sign receipt for official ballots. ARSD 5:02:07:06

STATE OF SOUTH DAKOTA

COUNTY

PRECINCT

We, the Precinct Election Board Members, do hereby certify that on Tuesday the ____ day of _____, 20____, at the opening of the polls for the election held on that day, we received from _____ a sealed package containing the following official ballots:

(Here list the official ballots received)

_____	_____
_____	_____
_____	_____
_____	_____

for the use of the voters at the election.

Dated this _____ day of _____, 20____.

_____	Precinct Superintendent
_____	Precinct Deputy
_____	Precinct Deputy
_____	Precinct Deputy
_____	Precinct Deputy

Election Morning AutoMARK Test

Prior to the opening of the polls, the Precinct Superintendent must test the AutoMARK for proper operation using the following procedure:

1. Use only the test ballots provided by the person in charge of the election which are labeled “**TEST BALLOTS**”. These will be provided in your AutoMARK Election Day Polling Place Kit.
2. Mark at least two “**TEST BALLOTS**” using the AutoMARK by selecting various candidates and ballot questions using the touchscreen, keypad and headphones.
3. When two “**TEST BALLOTS**” print properly, the AutoMARK is ready for use by voters. Store the “**TEST BALLOTS**” with your AutoMARK Election Day Polling Place Kit. DO NOT place the “**TEST BALLOTS**” in the ballot box.
4. If the AutoMARK does not properly mark the ballots, use the troubleshooting section found on page 89 to resolve the problem. If your troubleshooting is unsuccessful, call your County Auditor.
5. You must successfully mark two “**TEST BALLOTS**” before allowing voters to use the AutoMARK™.
6. Even if the AutoMARK test is not successfully completed, open the polls at 7:00 am. Do not allow voters to use the AutoMARK until the test is successfully completed.

AutoMARK Election Day Checklist

Before Polls Open

- ☐ The AutoMARK is in place on the special AutoMARK table, with the INSTRUCTIONS TO THE VOTERS label below the AutoMARK. The AutoMARK is in a location that both encourages accessibility and maintains privacy. The AutoMARK is plugged in for power.
- ☐ A print cartridge is installed.
- ☐ The touch screen is out and ready.
- ☐ The ballot feed tray is out and ready.
- ☐ The headphones are not plugged into the audio slot but are next to the AutoMARK on the table.
- ☐ The privacy shield that comes with the special table is in place over the AutoMARK.
- ☐ Insert the gold Mode Switch Key and turn to ON. Be Patient ☺ (The screen will remain black for about 1 minute and then finally show boot progress.)
- ☐ Verify that the light above the key is green to confirm that the AutoMARK is receiving AC power. (If the light is yellow, the machine is on battery power, which will only last 2 hours.)

AutoMARK Election Day Checklist

Before Polls Open *cont'd*

- ☐ Perform the required voting test with at least the 2 special ballots marked TEST BALLOT by inserting, viewing, listening to, moving through, and marking the 2 ballots. (Use the touch screen and the keypad to communicate with the AutoMARK.) If the system does not properly mark the test ballots, the precinct superintendent shall work on the system until a successful test is conducted. The precinct superintendent shall maintain custody of the key to activate the system at all times. Call your County Auditor if you need help.
- ☐ Return all ballots used to test the AutoMARK to the Election Day Polling Place Kit.
- ☐ Turn the Mode Switch Key to TEST.
- ☐ From the information displayed at the bottom of the TEST MODE screen, record the number after LIFETIME PRINT COUNTER on the AutoMARK Election Day Polling Place Recording Sheet.
- ☐ Record also the serial number of the AutoMARK, which is also displayed at the bottom of the TEST MODE screen.
- ☐ Record the number of the seal that is securing the door that contains the election definition.
- ☐ Turn the Mode Switch Key back to the ON position, remove the key, and keep it secure. The AutoMARK is ready for voters.

AutoMARK Election Day Checklist

After Polls Close

- ☐ Insert the Mode Switch Key and turn to TEST.
- ☐ Record again the number after LIFETIME PRINT COUNTER.
- ☐ Record again the number of the seal that is still securing the door that contains the election definition.
- ☐ Sign the completed Election Day Polling Place Recording Sheet.
- ☐ Turn the Mode Switch Key to OFF and remove the key. Return the key and the AutoMARK Election Day Polling Place Recording Sheet to the AutoMARK Election Day Polling Place Kit.
- ☐ Remove the print cartridge from the AutoMARK and seal it in the ziplock bag in the Kit.
- ☐ Return the AutoMARK Election Day Polling Place Kit to your County Auditor apart from the AutoMARK case on election night.

AutoMARK Election Day Polling Place Recording Sheet

Before Polls Open

LIFETIME PRINT COUNTER: _____

Serial Number: AM0105 _____

Number of the Seal: _____

After Polls Close

LIFETIME PRINT COUNTER: _____

Number of the Seal: _____

Name of County: _____

Name of Polling Place: _____

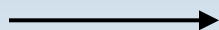
Signature of the Precinct Superintendent in charge of the AutoMARK

If you have time, please offer any comments below:

Did you have any problems with the AutoMARK during Election Day? If so, please describe:

Describe any ideas or concerns on how the AutoMARK functioned or was received by voters throughout Election Day.

Post **regular**
size
“Instructions
to the Voters”
in each
voting booth.



INSTRUCTIONS TO THE VOTER

PAPER BALLOT

TO MARK THE BALLOT

Use a cross (X) or check mark (✓) for each vote.
Do not make any marks other than a cross (X) or check mark (✓).
Do not erase anything on your ballot.
Do not rip your ballot or make holes in it.
Do not write in a name.

IF YOU MAKE A MISTAKE

If you make a mistake, give the ballot back and get a new one.
If you cast more votes than allowed in a race, give the ballot back
and get a new one.

TO RETURN THE BALLOT(S) AFTER VOTING

Fold each ballot so the ballot stamp shows and take to the ballot box.

IF YOU NEED HELP, ASK.

Two **large** “Instructions to the Voters” posters must also be
posted in the polling place.





Post **regular**
size
“*Instructions
to the Voters*”
in each
voting booth.



INSTRUCTIONS TO THE VOTERS: Optical Scan Ballot

TO MARK THE BALLOT

Completely fill in the oval [] next to the name or ballot question. Use only the pencil or marker given to you! Do not make any marks other than filling the oval.

 WRONG  WRONG  WRONG  RIGHT

Do not erase anything on your ballot.

Do not rip your ballot or make holes in it.

Do not write in a name.

IF YOU MAKE A MISTAKE

If you make a mistake, give the ballot back and get a new one.

If you cast more votes than allowed in a race, give the ballot back and get a new one.

TO RETURN THE BALLOT AFTER VOTING

Put the ballot in the holder so the ballot stamp shows and take to the ballot box.

IF YOU NEED HELP, ASK

Two large “*Instructions to the Voters*” posters must also be posted in the polling place.

Post the following notice on each entrance to the polling place and one inside the polling place.

Please Read

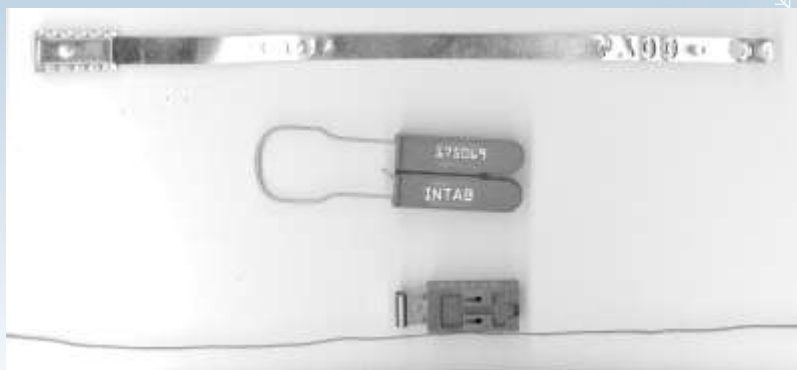
To vote, you must either:

- Present a photo ID, or if not able to do so,
- Sign an affidavit which will be given to you.

Accepted forms of photo identification include any one of the following:

- A SD driver license or nondriver ID card; or
- A US government photo ID; or
- A tribal photo ID; or
- A current student photo ID from a SD high school or SD accredited institution of higher education.

Remove everything from the ballot box and seal the ballot box with a metal or plastic seal in preparation for voting. The ballot box cannot be unsealed until it is time to count the ballots.



Declare the polls open at the legal starting hour.

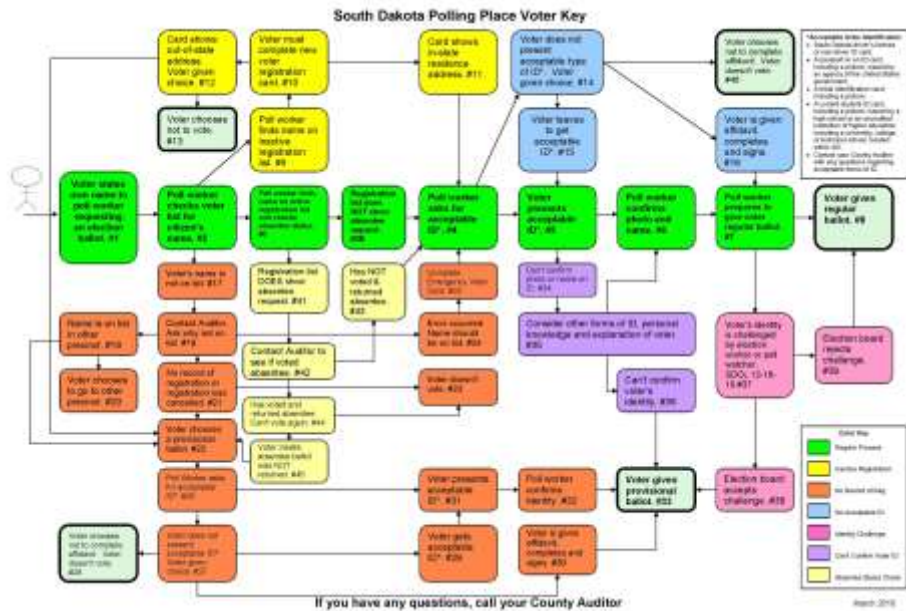
Procedure when Voter Presents Themselves to Vote

The following screens detail the process for each voter who presents themselves to vote.

Any person who has voted and returned an absentee ballot may not vote again at the polling place.

If there is any question regarding the steps to verify the voter's identity or whether the voter receives a regular or provisional ballot, please consult the *South Dakota Polling Place Voter Key* as shown on the next screen.

The back side of the *South Dakota Polling Place Voter Key* contains suggested responses to voters for each of the situations presented on the *Voter Key*.



South Dakota Polling Place Voter Key		
Item Number	Code	Suggested Response
1	12-18-1	You must show:
2 and 3	12-18-2	
4	12-18-3	"Do you have a photo ID?"
5	12-18-4	Check to see if the ID is on the list of acceptable IDs: (1) A South Dakota driver's license or non-driver identification card. (2) A passport or an official foreign passport, including a passport issued by an agency of the United States government. (3) A valid identification card, including a passport, or (4) An identification card, including a passport, issued by a high school or an accredited institution of higher education, including a university, college, or technical school, located within the State of South Dakota. (5) Check to see that the photo matches the voter and that the name on the ID matches the name on the voter registration list.
6	12-18-5	Sign ballot and hand to voter.
7	12-18-6	"Thank you for voting today!"
8	12-18-7	"Do you wish to challenge your voter registration?"
9	12-18-8	"Because you are on the voter registration list, you must complete a new voter registration card before voting. Here is the card to complete."
10	12-18-9	"Thank you for completing your voter registration card."
11	12-18-10	"You have provided an out-of-state residence address. You will not be able to cast a regular ballot. You may choose to not vote or you may cast a provisional ballot. The provisional ballot will be kept separate from the regular ballot and will only be counted if the auditor can later verify that you name should not be on the regular list. Your provisional ballot may not be secret. It is your choice whether to vote."
12	12-18-11	"Because you are not able to present an acceptable photo ID, you now have an option. You may leave the polling place to return at acceptable ID or you may sign this provisional ballot and vote."
13	12-18-12	Because you cannot provide an acceptable photo ID, you must complete a new voter registration card before voting. Here is the card to complete."
14	12-18-13	"Thank you for completing your voter registration card."
15	12-18-14	"You may go to that polling place and cast a regular ballot which will be counted if you are willing to swear that you registered to vote at that precinct you may cast a provisional ballot at this precinct. The provisional ballot will be kept separate from the regular ballot and will only be counted if the auditor can later verify that your voter registration card for this precinct. Your provisional ballot may not be secret. It is your choice whether to vote."
16	12-18-15	"The auditor has no record of your being registered to vote. You may choose to not vote or if you are willing to swear that you registered to vote at that precinct you may cast a provisional ballot at this precinct. The provisional ballot will be kept separate from the regular ballot and will only be counted if the auditor can later verify that your voter registration card for this precinct. Your provisional ballot may not be secret. It is your choice whether to vote."

17	12-18-16	"An error has been made and your name should have been on the voter registration list."
18	12-18-17	"Please complete this provisional ballot and we will be able to vote."
19	12-18-18	"Do you have a photo ID?"
20	12-18-19	"Because you are not able to present an acceptable photo ID, you now have an option. You may leave the polling place to return at acceptable ID or you may sign this provisional ballot and vote."
21	12-18-20	"Because you cannot provide an acceptable photo ID, you must complete a new voter registration card before voting. Here is the card to complete."
22	12-18-21	"Thank you for completing your voter registration card."
23	12-18-22	"You may go to that polling place and cast a regular ballot which will be counted if you are willing to swear that you registered to vote at that precinct you may cast a provisional ballot at this precinct. The provisional ballot will be kept separate from the regular ballot and will only be counted if the auditor can later verify that your voter registration card for this precinct. Your provisional ballot may not be secret. It is your choice whether to vote."
24	12-18-23	"The auditor has no record of your being registered to vote. You may choose to not vote or if you are willing to swear that you registered to vote at that precinct you may cast a provisional ballot at this precinct. The provisional ballot will be kept separate from the regular ballot and will only be counted if the auditor can later verify that your voter registration card for this precinct. Your provisional ballot may not be secret. It is your choice whether to vote."
25	12-18-24	"An error has been made and your name should have been on the voter registration list."
26	12-18-25	"Please complete this provisional ballot and we will be able to vote."
27	12-18-26	"Do you have a photo ID?"
28	12-18-27	"Because you are not able to present an acceptable photo ID, you now have an option. You may leave the polling place to return at acceptable ID or you may sign this provisional ballot and vote."
29	12-18-28	"Because you cannot provide an acceptable photo ID, you must complete a new voter registration card before voting. Here is the card to complete."
30	12-18-29	"Thank you for completing your voter registration card."
31	12-18-30	"You may go to that polling place and cast a regular ballot which will be counted if you are willing to swear that you registered to vote at that precinct you may cast a provisional ballot at this precinct. The provisional ballot will be kept separate from the regular ballot and will only be counted if the auditor can later verify that your voter registration card for this precinct. Your provisional ballot may not be secret. It is your choice whether to vote."
32	12-18-31	"The auditor has no record of your being registered to vote. You may choose to not vote or if you are willing to swear that you registered to vote at that precinct you may cast a provisional ballot at this precinct. The provisional ballot will be kept separate from the regular ballot and will only be counted if the auditor can later verify that your voter registration card for this precinct. Your provisional ballot may not be secret. It is your choice whether to vote."
33	12-18-32	"An error has been made and your name should have been on the voter registration list."
34	12-18-33	"Please complete this provisional ballot and we will be able to vote."
35	12-18-34	"Do you have a photo ID?"
36	12-18-35	"Because you are not able to present an acceptable photo ID, you now have an option. You may leave the polling place to return at acceptable ID or you may sign this provisional ballot and vote."
37	12-18-36	"Because you cannot provide an acceptable photo ID, you must complete a new voter registration card before voting. Here is the card to complete."
38	12-18-37	"Thank you for completing your voter registration card."
39	12-18-38	"You may go to that polling place and cast a regular ballot which will be counted if you are willing to swear that you registered to vote at that precinct you may cast a provisional ballot at this precinct. The provisional ballot will be kept separate from the regular ballot and will only be counted if the auditor can later verify that your voter registration card for this precinct. Your provisional ballot may not be secret. It is your choice whether to vote."
40	12-18-39	"The auditor has no record of your being registered to vote. You may choose to not vote or if you are willing to swear that you registered to vote at that precinct you may cast a provisional ballot at this precinct. The provisional ballot will be kept separate from the regular ballot and will only be counted if the auditor can later verify that your voter registration card for this precinct. Your provisional ballot may not be secret. It is your choice whether to vote."
41	12-18-40	"An error has been made and your name should have been on the voter registration list."
42	12-18-41	"Please complete this provisional ballot and we will be able to vote."
43	12-18-42	"Do you have a photo ID?"
44	12-18-43	"Because you are not able to present an acceptable photo ID, you now have an option. You may leave the polling place to return at acceptable ID or you may sign this provisional ballot and vote."
45	12-18-44	"Because you cannot provide an acceptable photo ID, you must complete a new voter registration card before voting. Here is the card to complete."
46	12-18-45	"Thank you for completing your voter registration card."
47	12-18-46	"You may go to that polling place and cast a regular ballot which will be counted if you are willing to swear that you registered to vote at that precinct you may cast a provisional ballot at this precinct. The provisional ballot will be kept separate from the regular ballot and will only be counted if the auditor can later verify that your voter registration card for this precinct. Your provisional ballot may not be secret. It is your choice whether to vote."
48	12-18-47	"The auditor has no record of your being registered to vote. You may choose to not vote or if you are willing to swear that you registered to vote at that precinct you may cast a provisional ballot at this precinct. The provisional ballot will be kept separate from the regular ballot and will only be counted if the auditor can later verify that your voter registration card for this precinct. Your provisional ballot may not be secret. It is your choice whether to vote."

Voter Identification at the Polls

Voter presents themselves to the precinct worker in charge of the registration list. The voter must announce their name and show a valid photo identification. Valid identification is:

- A South Dakota driver's license or non-driver identification card;
- A passport or an identification card, including a picture, issued by an agency of the United States government;
- A tribal identification card, including a picture; or
- A current student identification card, including a picture, issued by a high school or an accredited institution of higher education, including a university, college, or technical school, located within the State of South Dakota.

Voter Identification at the Polls *cont'd*

- A member of the election board must verify that the picture on the ID matches the voter. The name on the ID must also match the name on the voter registration list.
- If the election board worker cannot make this verification, the worker may consider:
 - Other forms of identification;
 - Personal knowledge; and
 - The voter's explanation.
- If the voter's identity can't be proven to the satisfaction of the election board, the voter may vote a provisional ballot.

- te a
ut a **valid**

☐ There are three possibilities:

1. Voter is listed as “active”

- Voter is allowed to vote.

2. Voter is listed as “inactive”

- “Inactive” may be indicated on the list by an “I” next to the voter’s name. See the example of Allen Braumbaugh on the previous page.
- Voter must complete a new voter registration card as shown on the next page.
- If the registration card shows a residence address within South Dakota, the voter is allowed to vote.
- If the registration card shows a residence address outside of South Dakota, the voter is not allowed to vote.

South Dakota
Voter Registration Form
County _____

Fill this form out. Register to vote or reset a voting address, or party change.
Please print. Complete the entire form. Not use this form to get early ballot.

This deadline for voter registration is 18 days before any election. Your form must be received by the county auditor by this deadline. If you are 18 or older on election day, you may register on the day of the election. If you are 17, you must register by the day before the election. If you are 16, you must register by the day before the day before the election. If you are 15, you must register by the day before the day before the day before the election. If you are 14, you must register by the day before the day before the day before the day before the election. If you are 13, you must register by the day before the day before the day before the day before the day before the election. If you are 12, you must register by the day before the day before the day before the day before the day before the day before the election. If you are 11, you must register by the day before the day before the day before the day before the day before the day before the day before the election. If you are 10, you must register by the day before the day before the day before the day before the day before the day before the day before the day before the election. If you are 9, you must register by the day before the day before the day before the day before the day before the day before the day before the day before the day before the election. If you are 8, you must register by the day before the day before the day before the day before the day before the day before the day before the day before the day before the day before the election. If you are 7, you must register by the day before the day before the day before the day before the day before the day before the day before the day before the day before the day before the day before the election. If you are 6, you must register by the day before the day before the day before the day before the day before the day before the day before the day before the day before the day before the day before the day before the election. If you are 5, you must register by the day before the day before the day before the day before the day before the day before the day before the day before the day before the day before the day before the day before the day before the election. If you are 4, you must register by the day before the day before the day before the day before the day before the day before the day before the day before the day before the day before the day before the day before the day before the day before the election. If you are 3, you must register by the day before the day before the day before the day before the day before the day before the day before the day before the day before the day before the day before the day before the day before the day before the day before the election. If you are 2, you must register by the day before the day before the day before the day before the day before the day before the day before the day before the day before the day before the day before the day before the day before the day before the day before the day before the election. If you are 1, you must register by the day before the day before the day before the day before the day before the day before the day before the day before the day before the day before the day before the day before the day before the day before the day before the day before the day before the election.

Are you a citizen of the United States or Alaska?
If you are 18 years of age or older, are you a citizen of the United States or Alaska?
If you checked "NO" or registered as either of these questions, do not complete this form.

☐ Yes ☐ No

☐ Yes ☐ No

1 Last Name _____ First Name _____ Middle Name/Initial _____ Suffix _____

2 Residence Address _____ Apt. or Unit # _____ City _____ State _____ Zip Code _____

3 Mailing Address (if different) _____ City _____ State _____ Zip Code _____

4 If Residence Address is P.O. Box, care box, or general delivery, you must give the location of your residence:

5 Date of Birth (month/day/year) _____ Telephone Number _____ South Dakota Driver License Number (if any) _____

6 Month _____ Day _____ Year _____

7 Place of Birth _____ Email Address _____ If you do not have a US Driver License, provide the last 4 digits of Social Security Number _____

8 Previous Name (if any) _____ Previous Name _____ Previous Name _____ Suffix _____

9 Previous Address _____ City _____ State _____ Zip Code _____

10 Previous Driver License Number and State _____ Previous County _____

11 Would you like to be a precinct election judge on election day? ☐ Yes ☐ No

12 I am not, under penalty of perjury (2 years imprisonment and \$5,000 fine), that:
I am a citizen of the United States or Alaska;
I actually live at and have no present intention of leaving the above address;
I am not under any legal disability, incompetency;
I am not currently serving a sentence for a felony conviction; and
I am not a candidate for any public office.
Signature _____
Date _____ Month _____ Day _____ Year _____

Auditor use only. Register card

3 . Voter's name is not on the registration list

- Ask the voter if they are registered to vote in this precinct. If the answer is “no”, they are not allowed to vote. Have them fill out a new voter registration card so that they will be able to vote in the **next** election.

- If the answer is “yes”, contact the county auditor to verify if the voter's name was mistakenly left off the registration list. The auditor will provide one of three responses:

- There is no record of that person registering in that precinct. The voter will not be allowed to vote a regular ballot but must be given the opportunity to vote a **provisional** ballot. Have the voter fill out a registration card so that they will be able to vote a regular ballot in the **next** election.

- The voter is registered in another precinct in this county. Send the voter to that precinct.
- We made a mistake in preparing the registration list. The voter will be allowed to vote a **regular** ballot. Before voting, the voter and precinct workers **must** complete and sign the *Emergency Voting Card*. ARSD 5:02:05:20

EMERGENCY VOTING CARD
FOR _____ COUNTY

_____ Ward _____ Precinct _____
Party _____
Name _____
Residence _____

The undersigned members of the precinct election board hereby certify that the above-named voter was permitted to vote in this precinct at the election held _____, 20____, pursuant to instructions from the office of the county auditor.

Signature of Voter

Signature of precinct election board member calling office

Authorized by:

Precinct election board members

Precinct election board member

Precinct election board member

Precinct election board member

Provisional Ballot

Who may vote a provisional ballot?

- Person who:
 - Is not on the registration list; and
 - Claims to be registered in that precinct; and
 - Is not eligible to vote a regular ballot using an emergency voting card.
- Person who is successfully challenged as described in the next slide “*Challenging a Voter*”.
- Person whose identity can’t be proven as described in an earlier slide “*Voter Identification at the Polls*”.

The procedure for voting a provisional ballot is:

- Voter must complete affirmation on the blue provisional ballot envelope.

Form 10-16-40 (8/2016) - Provisional Ballot Envelope (Rev. 7-9-00) PRINTED BY: BROWN & SPOONER, SEAN FALLEN, NEV

VOTER'S AFFIRMATION FOR A PROVISIONAL BALLOT

My voter registration was completed on or about the following date and was left with the following person or agency for delivery to the county auditor: _____

My name is _____ I reside at _____

My mailing address is _____

My daytime telephone number is _____ and my evening telephone number is _____

I understand if the election authority determines that I am not registered in this precinct and therefore not eligible to vote in this precinct, my vote will not be counted. I further understand that my vote may not be counted if only one provisional ballot is cast in the precinct. I swear or affirm under penalty of perjury that I registered and am eligible to vote in this precinct.

Signature of voter _____ Date _____

To be completed by a precinct election worker:

Precinct number _____ Type of ballot provided to voter _____

Signature of precinct worker _____

Source: ES-SORD-137, General Authority: SDCL 16-16-40, Law Implemented: SDCL 16-16-40

- ✓ Write voter's name in pollbook and designate as a provisional voter.
- ✓ Provide the voter the correct ballot and stamp with official ballot stamp.
- ✓ Voter votes the ballot and seals it in the provisional ballot envelope.
- ✓ Envelope is placed in the ballot box.
- ✓ Give the voter a "Notice to Provisional Voter" sheet with the following language:

Provisional Ballot

You will be sent a notice within 13 days whether your ballot was counted or not counted. If the ballot was not counted, you will be told of the reason.

ARSD 05:02:05:23

Challenging a Voter

- A person's right to vote may be challenged for the following reasons:



- The person's identity is not that of the registered voter;
- The person has been convicted of a felony or declared mentally incompetent since the registration list was prepared; or

Challenging a Voter *cont'd*

- In school and municipal elections, the person is not a resident of the school district or municipality. Resident is defined as:
 - Live within the school district or municipality at least 30 days within the past year; or
 - Full-time postsecondary student who resided in the school district or municipality immediately prior to leaving for school; or
 - On active duty as a member of the armed forces whose home of record is within the school district or municipality.

- A challenge to a voter's qualifications as a resident can only be made in municipal and school elections. (SDCL 9-13-4.1 and 13-7-4.2)
- Any person can challenge a voter based on the person's identity as the person registered whom the person claims to be or on the grounds that within fifteen days preceding the election the person has been convicted of a felony or declared mentally incompetent. (SDCL 12-18-10)
- The challenger will present evidence to the precinct election board. The voter would be allowed to offer evidence supporting their right to vote.
- Based on the evidence presented and any personal knowledge the precinct election board will impartially determine if the person is eligible to vote.

Once it has been determined that the voter may cast a ballot:

- Mark the voter's name on the registration list in the manner you have been instructed.
- Announce the voters name (and party if in a primary).
- Write the voter's name in the pollbook.
- If all of the voters in your precinct do not receive the same ballot, mark in the pollbook which ballot the voter is given.
- The pollbook cover and pages for the listing of voter names are shown on the following pages.

13-19-22

ELECTION

POLL BOOK

WARD _____ PRECINCT _____

CITY _____ TOWNSHIP OF _____ COUNTY _____

SOUTH DAKOTA

Election held on the _____ Day of _____, A.D., 19____

B&S
BROWN & SIEGEL

211 West Second
Sioux Falls, South Dakota 57104
OFFICE SUPPLIES • FRUITING • OFFICE FURNITURE

Sample Page of
a Pollbook

LIST OF VOTERS			
General Authority: SDCL 12-1-9, 12-16-28. Law Implemented: SDCL 12-16-28			
No.	NAME OF VOTER	No.	NAME OF VOTER
1		49	
2		50	
3		51	
4		52	
5		53	
6		54	
7		55	
8		56	
9		57	
10		58	
11		59	
12		60	
13		61	
14		62	
15		63	
16		64	
17		65	
18		66	
19		67	
20		68	
21		69	
22		70	
23		71	
24		72	
25		73	
26		74	
27		75	
28		76	
29		77	
30		78	
31		79	
32		80	
33		81	
		82	
35		83	
36		84	
37		85	
38		86	

- Provide the voter with the correct ballot. The ballot must have an official ballot stamp (shown below).
- ARSD 05:02:05:00 lists the contents required for the official ballot stamp.

OFFICIAL BALLOT
(NAME OF COUNTY, SCHOOL DISTRICT, MUNICIPALITY,
OR OTHER POLITICAL SUBDIVISION)
(Precinct name or number or both)
SOUTH DAKOTA

- For hand counted paper ballots, place the ballot stamp on the back near the top of the ballot before being given to the voter.
- For optical scan ballots, place the stamp where indicated by the person in charge of the election.
- If there is more than one type of ballot at your polling place, **be sure the voter gets the correct ballot!**

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Return of spoiled and unused ballots

5:02:16:34. Return of unvoted ballots. All spoiled and unused ballots shall be returned to the person in charge of the election in plain wrappers or envelopes with the words "spoiled ballots" or "unused ballots" added to each wrapper or envelope. Each wrapper or envelope shall be sealed by a ballot seal containing the following information:

BALLOT WRAPPER OR ENVELOPE SEAL _____ PRECINCT
NUMBER OF BALLOTS _____

DO NOT PLACE THESE SPOILED AND UNUSED BALLOTS IN THE BALLOT BOX

- The voter returns the voted ballot to the precinct worker in charge of the ballot box. The voter must show the precinct worker the official ballot stamp on the back of the ballot. The voter may then place the ballot in the box or give it to the precinct worker to place in the box.

Absentee Ballot Processing

- Process absentee ballots whenever you have time during election day or immediately after the polls close.
- The person in charge of the election will provide you with all of the applications for absentee ballots and all of the returned absentee ballots sealed in their individual envelopes. No absentee ballot may be accepted after the close of the polls.
- Compare the signature on the ballot envelope with the signature on the application.
- In-person voted absentee ballots are in a combined application/envelope with only one signature from the voter. You will have no signatures to compare for these absentee ballots since these were voted in person at the election official's office.

Absentee Ballot Processing *cont'd*

If you are satisfied that:

- The ballots were voted by the voter whose name appears on the ballot envelope; and
- The voter is registered in your precinct (if the voter is registered as "inactive", a completed voter registration card must accompany the absentee ballot); and
- The application and ballot envelope or the in-person combined application/envelope were signed by the voter; then...
- Mark the registration list and enter the name in the pollbook.
- Remove the ballots from the envelope without unfolding them.

Absentee Ballot Processing *cont'd*

- Place the official ballot stamp on the ballot.
- Place the ballot in the ballot box.
- If an absentee voter dies before election day, the ballot is not processed.
- If you determine that an absentee ballot cannot be counted, the envelope should not be opened and the reason for not counting should be indicated on the envelope.

Closing the polls in optical scan ballot precincts

- If you use hand-counted paper ballots, these instructions are not for you. Skip this slide and the next four slides.
- The poll closing process must be open to the public. No one may be excluded from watching the closing process provided there is no interference with the process.
- Complete the recap sheet as shown on the next screen. **This DOES NOT require opening the ballot box.**

Use this
for
Optical
Scan
Ballots

RECAP SHEET: PRECINCT _____ Type of ballot: _____
(date and name of election)

1. Official Ballots Received from Auditor _____ +
2. Additional Ballots Received During the Day _____ +
3. Absentee Ballots Received _____ +
4. Total Ballots Received (add lines 1, 2 and 3) = _____ (Line 4 Total)
5. Ballots Spoiled _____ +
6. Ballots Unvoted at End of the Day _____ +
7. Absentee Ballots not Opened _____ +
8. Total (add lines 5, 6 and 7) = _____ (Line 8 Total)
9. Ballots Voted (Line 4 minus Line 8) _____ (Line 9 Total)
10. Provisional Ballots Voted _____
11. Ballots To Be Counted (Line 9 minus Line 10) _____
12. Enter Number of Voters from Pollbook for this Type of Ballot _____

If Line 9 and Line 12 are not the same, compare the voters in the pollbook and the registration list and correct any mistakes.

Signed: _____

Precinct Officials

PLACE INSIDE BALLOT BOX OR TRANSFER CASE WITH VOTED BALLOTS

Discrepancies noted by resolution board: _____
(fill in only if there is a different total than above)

Signed _____

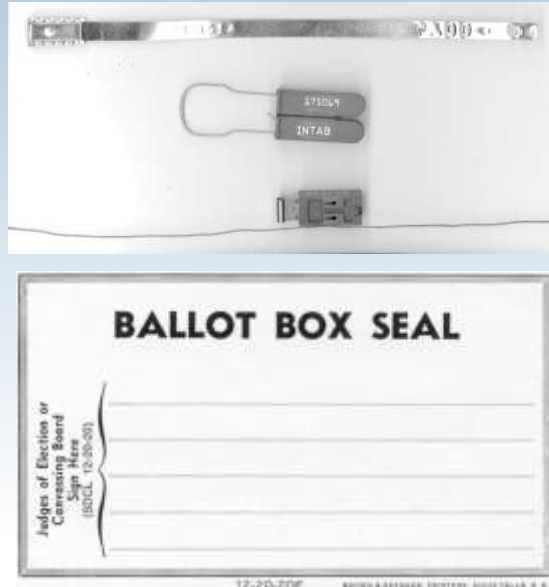
Resolution Board

Printer's note: In central count optical scan precincts, lines 10 and 11 may be completed by tabulation center employees. The printed form may be changed to reflect this option.

Following completion of the recap sheet, compare the:

- Number of voters from the pollbook (line 12); and
- Number of ballots voted (line 9)
- These numbers should be equal.
- If these numbers are not equal, compare the pollbook names with the names marked on the voter registration list. Correct any errors.
- If any corrections are made to the pollbook, the number of voters on line 12 should also be corrected.

- Seal the ballot box clasps with a metal or plastic seal. Seal any remaining slots with a paper seal.



Optical Scan Ballots

- ✓ Transport the sealed ballot box, unvoted ballots, spoiled ballots and all other election supplies to the counting location by the most direct route.
- ✓ The ballot box **MUST** be transported by:
 - Two members of the precinct board, one of each major political party; or
 - A sheriff's deputy and two deputy county auditors, one of each major political party; or
 - Two deputy county auditors, one of each major political party.

Optical Scan Ballots

Closing the polls and counting the votes in hand-counted ballot precincts

- Paper ballot counting instructions are on pages 13-17.
- The vote counting process must be open to the public. No one may be excluded from watching the vote counting as long as there is no interference with the vote count process.
- Open the ballot box and remove the ballots.
- Place any Provisional Ballot and Uncounted Absentee Ballot envelopes in the large Provisional and Uncounted Absentee Ballot Return Envelope:

PROVISIONAL AND UNCOUNTED ABSENTEE BALLOT RETURN ENVELOPE

PRECINCT

TO: COUNTY AUDITOR

SOUTH DAKOTA

DO NOT PUT THIS IN BALLOT BOX

- Place the ballot box seal in the envelope provided.

Hand Counted
Paper Ballots

DO NOT
PUT IN POLL BOOK
ENVELOPE

THIS ENVELOPE FOR RETURN OF
METAL BALLOT BOX SEALS

held at the _____ Election held the _____ day of _____ 19____
Precinct _____ County, S. D.

Judges of Election _____


To be returned to the Auditor or person in charge of election with Metal Ballot Box Seals inside, sealed and with signatures of Judges affixed.

- Sort according to ballot type if you have more than one type.
- Count the number of ballots in each ballot type.
- Check your ballot count against the number of voters in the pollbook who voted that type of ballot.
 - If the numbers are the same, proceed with vote counting.
 - If there are more ballots than voters voting that type of ballot, place those ballots back in the box, mix them up and withdraw (unopened) the number of excess ballots. These excess ballots are not counted and are marked as “Excess ballot not counted”.
 - If the number of voters exceeds the number of ballots, proceed with vote counting.
- Examine each ballot for the official ballot stamp. Remove any ballots without the stamp and mark “Unstamped Ballot”.

Hand Counted
Paper Ballots

- At least two precinct deputies shall examine each ballot to determine how each vote is cast. If the election is a primary or general election the precinct deputies must be of opposite political parties. If there is a dispute, the precinct superintendent will break the dispute.
- A voting mark that is in or touches the circle or square shall be counted. A mark that does not touch the circle or square and is not on or in the circle or square, may not be counted.
- If a write-in vote is found on the ballot, that vote is not counted but all other votes on the ballot for which the voter’s intent can be determined shall be counted.
- Two tally sheets are used for vote tabulating. One is in the pollbook and the other is a separate sheet called the duplicate tally sheet. A sample is shown on the following page.
- The names of the candidates will be written in the proper place in the pollbook tally sheet and the duplicate tally sheet.

Hand Counted
Paper Ballots



Hand Counted
Paper Rollers

- Hand Counted
Paper Ballots

led and

- Complete the official precinct vote count sheet found in the back of the pollbook

5:02:17:08. Official vote count. The official vote count must consist of the following four columns:

- (1) Column one, TITLE OF OFFICE;
 - (2) Column two, NAME OF CANDIDATE;
 - (3) Column three, NUMBER OF VOTES RECEIVED IN FIGURES;
- and
- (4) Column four, NUMBER OF VOTES RECEIVED (write number of votes in words).

- Place the vote totals for each candidate and question on the *Immediate Unofficial Returns of Precinct Vote* form.

ARSD 05:02:16:25

- Complete the ballot recapitulation sheet shown below.

Use this for
hand counted
paper ballots

TO BE FILLED BY STATEMENT OF BALLOT CLERK (ARSD 05:02:16:25)

Ballots Received from Auditor				
Ballots Received after Polls Open				
Unopened Ballots Received				
TOTAL Ballots Received				
Provisional Voter Ballots				
Provisional Voter Ballots				
Unopened Ballots				
Unopened Ballots				
TOTAL Ballots Returned				

Total Ballots received and total ballots returned should be the same number.
This section must show, together with the signed and sealed ballot, what be returned for the precinct in charge of the election. It shall not be placed in the ballot box.

Precinct: _____ County: South Dakota

Address not required this 1st day of June, 2024.

Supervisor of Election: _____ Precinct Clerk: _____

Precinct Deputy: _____ Precinct Deputy: _____

Precinct Deputy: _____ Precinct Deputy: _____

- Seal the pollbook and duplicate tally sheet in the envelope provided.

ELECTION POLL BOOKS

FROM _____

Precinct No. _____

Held at _____

On the _____ day of _____, 19____

SDCL—13-20-20. The judges of election shall immediately after the closing of the polls and the meeting of the ballot boxes and poll books deliver up all up to deliver the poll books and key to the County Auditor, sealed as provided for in this Chapter.

SDCL—13-20-21. The key to each ballot box so sealed shall be enclosed in the envelope returned to the Auditor, together with the poll books, and such envelope shall be securely sealed, and any person delivering such envelope shall not return or destroy or receive any such and such envelope containing such key and poll books shall be delivered in the same shape and condition as received.

Put BOTH POLL BOOKS and BALLOT BOX KEYS in this Envelope — Nothing Else. SEAL with POLL BOOK SEAL. Place Seal Over Opening — Sign By All Three Judges

DO NOT PUT IN BALLOT BOX

AUDITOR

South Dakota

12-20-21A—PRINTED BY BROWN & SAENGER, SIOUX FALLS, SD

Hand Counted
Paper Ballots

- Place the pollbook and tally sheet envelope seal on the pollbook and tally sheet envelopes.

**POLL BOOK & TALLY SHEET
ENVELOPE SEAL**

(SDCL 12-20-21) — Rule 5:02:16:41

Precinct

DO NOT PLACE IN BALLOT BOX

Hand Counted
Paper Ballots

12-20-21C BROWN & SAENGER, PRINTERS, SIOUX FALLS, S. D.

- Place the voted ballots in the envelope provided and then place in the ballot box. Place any voted ballots but not counted in envelopes marked with the reason for not counting. These are also placed in the ballot box. Nothing else goes in the ballot box.

PRINTED BY BEHRM & SAMPSON, THREE YEARS, 18-20-20A

RETURN ENVELOPE

OFFICIAL BALLOTS

VOTED

To the City Auditor or Clerk, _____, South Dakota.

This Envelope Contains the voted Official Ballots of the _____ Ward

Precinct _____ South Dakota, at the Election held on the _____ day of _____, 19____

Judges of Election

NOTICE:—Judges of Election must place all Official Ballots voted in the wrapper and seal and place in the Ballot Box.

- Seal the ballot box clasps with a metal or plastic seal. Seal any remaining slots with a paper seal.



BALLOT BOX SEAL

Judges of Election or
Counting Board
Sign Here
(SEAL 12-20-20)

12-20-20A BEHRM & SAMPSON, THREE YEARS, 18-20-20A

- Return the:
 - Sealed ballot box
 - Unvoted ballots
 - Provisional and Uncounted Absentee Ballot Return Envelope (hand-counted precincts only). In optical scan precincts these ballots are still in the ballot box.
 - Sealed pollbook and duplicate tally sheets
 - Voter registration list
 - *Immediate Unofficial Returns of Precinct Vote* form
 - Absentee voting materials; and
 - All other election supplies to the person in charge of your election.

Hand Counted
Paper Ballots

Congratulations! You have successfully completed the “Election School”. You are now ready to serve the voters of South Dakota. If you have additional questions about your responsibilities on election day, please consult the person in charge of your election.



Afternoon agenda

- Absentee Voting
- Precincts and Election Boards
 - Precinct Manual and Polling Place Voter Key
- Counting, Canvassing and Recounting
- Recalls
- Special Elections
- Financial Interest Statements
- Campaign Finance
- Automatic Tabulating Systems

Absentee Voting

- Any registered voter may vote by absentee ballot.
- Voters do not need to provide a reason in order to absentee vote.
- Absentee ballots must be made available no later than fifteen days prior to the election.
- If you combine with a Primary or General Election, the ballots must be available 46 days prior to the election.
(SDCL 9-13-21, 13-17-13 and 12-19-1.2)

Voter Registration and Absentee Ballot Request Federal Post Card Application (FPCA)		For use by qualified electors only. Please do not provide this form to anyone who is not a qualified elector. Please print clearly.
Classification Are you a... <input type="checkbox"/> resident <input type="checkbox"/> non-resident Do you live in the United States or its possessions? (Do not check)	<input type="checkbox"/> request an absentee ballot for election in which you qualify to vote <input type="checkbox"/> request an absentee ballot for election in which you do not qualify to vote <input type="checkbox"/> am an overseas citizen of the United States or its possessions and I am not a resident of the United States or its possessions <input type="checkbox"/> am a U.S. citizen of the United States or its possessions and I am not a resident of the United States or its possessions <input type="checkbox"/> am a U.S. citizen of the United States or its possessions and I am not a resident of the United States or its possessions <input type="checkbox"/> am a U.S. citizen of the United States or its possessions and I am not a resident of the United States or its possessions	For use by qualified electors only. Please do not provide this form to anyone who is not a qualified elector.
Political party	What State has been your party's official party in your country's elections?	
Legislation	Last name First name Middle name (if applicable)	Birth date Birth month Birth day
Identification Have you ever been... <input type="checkbox"/> convicted of a crime <input type="checkbox"/> convicted of a crime involving moral turpitude <input type="checkbox"/> convicted of a crime involving moral turpitude <input type="checkbox"/> convicted of a crime involving moral turpitude	Date of birth (month/day/year) SSN (State Security Number) SSN (State Security Number)	Date of birth (month/day/year) SSN (State Security Number) SSN (State Security Number)
Current residence Do you currently live in the United States or its possessions?	Residence City State Zip	Do you currently live in the United States or its possessions? Yes <input type="checkbox"/> No <input type="checkbox"/>
Ballot receipt	Have you received a ballot for the election in which you are requesting a ballot? Yes <input type="checkbox"/> No <input type="checkbox"/>	Have you received a ballot for the election in which you are requesting a ballot? Yes <input type="checkbox"/> No <input type="checkbox"/>
Voting residence Do you live in the United States or its possessions?	Other residence City State County	Do you live in the United States or its possessions? Yes <input type="checkbox"/> No <input type="checkbox"/>
Where to send my ballot	Do you want your ballot sent to the United States or its possessions? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Additional information Do you have any other information to provide?	Do you have any other information to provide? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Signature I am a qualified elector in the United States or its possessions and I am not a resident of the United States or its possessions. I am requesting a ballot for the election in which I am qualified to vote. I am requesting a ballot for the election in which I am qualified to vote. I am requesting a ballot for the election in which I am qualified to vote.		
Signature I am a qualified elector in the United States or its possessions and I am not a resident of the United States or its possessions. I am requesting a ballot for the election in which I am qualified to vote. I am requesting a ballot for the election in which I am qualified to vote. I am requesting a ballot for the election in which I am qualified to vote.		

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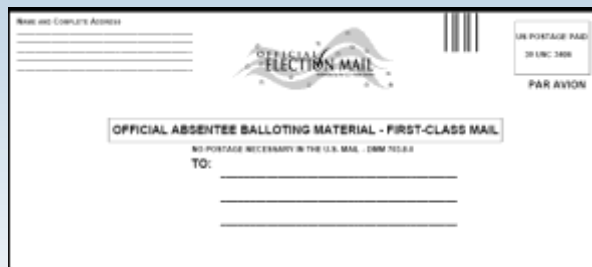
Absentee Ballot Packet

- Correct ballot
- Instructions to the voter ([ARSD 5:02:10:04](#))
- Return envelope ([ARSD 5:02:10:05](#))



UOCAVA VOTERS

- Return envelope for those military and citizen voters residing outside of the U.S. must be in this format ([5:02:10:08](#)) which provides free postage for those voters to return their voted absentee ballot to you.



- If the Uniformed Services voter is residing in the U.S., that voter must pay the postage to return the ballot to you and you will use the envelope prescribed in [5:02:10:05](#)

Absentee Ballot Log

- Keep an absentee ballot log – (SDCL 12-19-2)
- This is a public record
- Contents prescribed in 5:02:10:06
 - (1) Date of election;
 - (2) Name of applicant;
 - (3) Current address of applicant and voting address if applicable;
 - (4) Voting precinct;
 - (5) Civilian or military;
 - (6) Date mailed to applicant, given to authorized messenger or voted in office;
 - (7) Name of authorized messenger;
 - (8) Date returned.

Other Absentee Provisions

- Application must be received by 5:00 p.m. the day before the election.
- One application may apply to all elections per calendar year.
 - If you receive an application for other elections make sure to share that with the other jurisdictions.
- The application is only good for the calendar year the application is signed in.
- Power of Attorney does not apply.
- If an absentee voter dies before Election Day, the ballot is not processed.
- Inactive voters must complete a new registration form.
 - Have the voter fill out the form and mail it back separately from their ballot or else the ballot may not be counted.

Authorized Messenger

- Who can use an authorized messenger?
 - A qualified voter who is confined because of sickness or disability.
 - Work is not considered confinement. Employers are required under law to allow an employee up to 2 hours to be absent to vote (SDCL 12-3-5).
- Voter designates on the application someone to bring them a ballot.
- If a nursing home requests that you bring ballots to the residents to vote absentee, you are not allowed to do so. You as an election official can take a ballot out to someone ONLY if they've designated you, on the form, as their authorized messenger.
- A Candidate for any elective office cannot be an authorized messenger (SDCL 12-19-7.1).
- No authorized messenger may, in the presence of the voter at or before the time of voting, display campaign posters, signs or other campaign materials or by any like means solicit any votes for or against any person, political party or position on a question submitted. A violation of this section is a Class 2 misdemeanor (SDCL 12-19-7.2).

Absentee Voting – ID Requirements

- In-person absentee
 - Voter must show photo ID or complete personal affidavit.
- Absentee by mail
 - Absentee Ballot Application Form must be notarized or accompanied with a copy of their photo ID.
- UOCAVA
 - Stateside – Form must be notarized or accompanied with a copy of their photo ID.
 - Overseas – ID requirements are waived.
 - Only UOCAVA voters can submit their absentee request by email or fax.

Questions?

Precincts and Election Boards

Municipal

- SDCL 9-13-16
- Each ward is a precinct and does not have to be the same as for county elections.
- If precinct had over 500 voters at last election, then you may split into two precincts.
- If you have two contiguous wards with less than 350 voters, then you may combine.
- If all wards use the same polling place, they may use one board (SDCL 9-13-36).
- If all wards are voting on an identical ballot, then a single ballot box and pollbook may be used (SDCL 9-13-36).
- Must notify county auditor of precinct changes at least 45 days before election (SDCL 12-14-1.1).

Precincts and Election Boards

School

- Polling places are determined by school board, need not be the same as county elections (SDCL 13-7-11).
- SDCL 12-14-1.1
- Must notify county auditor of precinct changes at least 45 days before election (SDCL 12-14-1.1).

Precincts and Election Boards

Election Boards

- SDCL 9-13-16.1 and 13-7-12
 - Chosen by governing body.
 - Superintendent and two precinct deputies.
 - Choose election board members whom you trust and who will do a good job. If possible, use board members who work for other elections and are experienced.
- SDCL 12-15-2
 - Must be a registered voter and resident of the precinct.
- SDCL 12-15-14.3
 - May not be related within the second degree to a candidate on the ballot.
- SDCL 12-15-2.1
 - Election board members may not be poll watchers.

Counting, Canvassing and Recounting

Provisional Ballots

- Provisional ballots ARE NOT opened or counted on election night.
- If your ballots are counted at the polling place, all the provisional ballot envelopes must be placed unopened in the Provisional and Uncounted Absentee Ballot Return Envelope (ARSD 5:02:16:44) and returned to you. Keep them secure!
- The day after the election you must “diligently investigate” to determine if the voter was legally entitled to cast a ballot in that precinct.
- Use the information provided by the voter on the affirmation to begin your investigation. You may want to ask the county auditor to assist you with this determination.

PROVISIONAL BALLOT ENVELOPE

You will use the information provided by the voter to assist you in determining if the provisional ballot will be counted or not.

Form 1D-16-40 (3/20/00/02) - Provisional Ballot Envelope (Rev. 7-6-00) PRINTED ON RECYCLED PAPER - 22x34 (10.5x13.5)

VOTER'S AFFIRMATION FOR A PROVISIONAL BALLOT

My voter registration was completed on or about the following date and was left with the following person or agency for delivery to the county auditor: _____

My name is _____ I reside at _____
my mailing address is _____
my daytime telephone number is _____ and my evening telephone number is _____

I understand if the election authority determines that I am not registered in this precinct and therefore not eligible to vote in this precinct, my vote will not be counted. I further understand that my vote may not be secret if only one provisional ballot is cast in the precinct. I swear or affirm under penalty of perjury that I registered and am eligible to vote in this precinct.

Signature of Voter _____ Date _____

To be completed by a precinct election worker:

Precinct number _____ Type of ballot provided to voter _____

Signature of precinct worker _____

Source: 25-SCRD 117 (General Authority, SDCL 1D-16-40, Law implemented, SDCL 1D-14-40)

Counting, Canvassing and Recounting

Provisional Ballots *cont'd*

- Which ballots should be counted.
 - Registered in that precinct by deadline.
 - Identity verified.
 - Not been removed from the voter list.
 - Resident.
- If you determine that there are provisional ballots which must be counted, a provisional ballot counting board is appointed (SDCL 12-20-13.1). Follow SDCL 12-15-1 for process to appoint the board.
- Provisional ballot counting board meets one hour prior to the official canvass.
- Provisional ballot counting board shall count the provisional ballots which you have certified as countable. The board will complete a Certification of Provisional Ballot Count (ARSD 5:02:17:13).
- Your canvassing board will add the tally from this certification to the tallies from the pollbooks.

Counting, Canvassing and Recounting

Provisional Ballot Notification

- Within ten days after the official canvass, you must send each provisional voter a Notice of Provisional Ballot Determination. (ARSD 5:02:05:24)
 - The notice sent to the mailing address of a person who has cast a provisional ballot shall contain:
 - Voter's name;
 - Voter's mailing address;
 - Election at which the ballot was cast;
 - Whether the ballot was counted;
 - If the ballot was not counted, the reason why it was not counted; and
 - A telephone number for further information.

Questions?

Counting, Canvassing and Recounting

Official Canvass

- Conducted by the governing body.
 - SDCL 12-20-46 states a candidate does not sit on the canvassing board but instead has a designee. Cities and Schools follow Title 12 when there is not a statute in their respective Title's that covers a process (SDCL 12-1-1).
 - There could also be a conflict of interest should a candidate sit on the canvassing board (SDCL 6-1-17).
 - Work with your attorney on whether candidates should sit on the canvassing board.
- Schools (SDCL 13-7-18):
 - Canvass occurs at the next board meeting.
 - Certify results to the county auditor.
- Municipalities (SDCL 9-13-24):
 - Canvass must occur within seven days of election.
 - Certify results to the county auditor.



Questions?

Counting, Canvassing and Recounting

CANDIDATE RECOUNTS

SDCL 9-13-27.2 and 27.3 and 13-7-19.1 and 19.2

- Purpose:
 - Used to recount the results for a specific municipal or school board candidate's race.
- Deadline to request a recount:
 - Within five days after official canvass for that office.
- Who requests:
 - A tied or losing candidate.
- A recount can be requested for the following reasons:
 - Municipal- if a race is tied, defeated by five votes or less or defeated by a margin not exceeding two percent.
 - School- if a race is tied or defeated by a margin not exceeding two percent
- File with:
 - Municipal finance officer or school business manager.

Counting, Canvassing and Recounting

Candidate Recount Board

- Appointed by the person in charge of the election.
- One person chosen by each candidate declared elected.
- One person chosen by each candidate who is eligible to request a recount.
- If the board consists of an even number of persons, one additional recount board member shall be appointed who is mutually agreeable to each candidate involved in the recount.
- The person in charge of the election sets the time and place for the recount.

Counting, Canvassing and Recounting

Ballot Question Recounts

SDCL 9-13-27.4 and 13-7-19.3

- Purpose:
 - Used to recount the results for a ballot question.
- Deadline to file a petition for recount:
 - Within five days after official canvass for that question.
- Who petitions:
 - Any three registered voters of the municipality or school district.
- Required when:
 - Defeated by a margin not exceeding two percent.
- Petition:
 - ARSD 5:02:19:10
- File with:
 - Municipal finance officer or school business manager.

Ballot Question Recount Board

- Appointed by the person in charge of the election and consists of one person on each side of the question and one person mutually agreed upon by the other two appointed.
- Person in charge of the election shall set the time and place for the recount.

Questions?

Recalls

Who can be Recalled?

- Only applies to Municipalities
- SDCL 9-13-29
- In any municipality, with or without a city manager
 - Mayor
 - Commissioner
 - Alderman
 - Any member of the board of trustees

Recalls

Grounds for Recall (SDCL 9-13-30)

- Misconduct
- Malfeasance
- Nonfeasance
- Crimes in office
- Drunkenness
- Gross incompetency
- Corruption
- Theft
- Oppression
- Gross partiality

Recalls

Petition for Recall

- Signed by 15% of the registered voters of the municipality, based upon the total number of registered voters at the last preceding general election.
- Petition shall contain a specific statement of the grounds on which removal is sought.
- Form (ARSD 5:02:08:17)
- No signature is valid if signed more than 60 days prior to the filing of the petitions.

Questions?

Special Elections

Municipalities:

- Initiative
- Referendum
- Recall
- Bond – 60% to pass
- Change in form of government

Schools:

- School start date
- School consolidation/reorganization
- Bond – 60% to pass
- Tax levy opt out – held on or before October 1st
- Discontinue attendance center
- Some Capitol Outlay Certificates

Special Elections

- If the petition meets the requirements of ARSD 5:02:08:00 and 5:02:08:00.01 the governing body needs to move forward and set the election date.
- Notices and Publications for Special Elections
 - Notice of Voter Registration Deadline.
 - Publication of facsimile ballot.
 - Notice of Election.
- Notices of Vacancy (for special municipal elections to fill vacancy).
- One year waiting period after election on form of city government to vote on the question again (SDCL 9-11-8).
- Tax levy opt out elections require a "NOTICE TO TAXPAYERS" publication (SDCL 10-13-35 and 10-12-43).
- Municipality required to publish the entire initiated or referred measure once a week for two successive weeks (SDCL 9-20-4 and 9-20-12).

Questions?

Financial Interest Statements

- Required for 1st Class Municipalities and Schools with greater than 2,000 average daily membership (ADM)
- There are two types:
 - Candidate** (SDCL 12-25-28)
 - Filed within 15 days after filing nominating petition.
 - Appointed official would not need to fill this out.
 - Elected Official** (SDCL 3-1A-4)
 - Filed within 15 days of being elected.
 - Appointed official would need to fill this out.
- Sample forms can be found at www.sdsos.gov

**CANDIDATE**
Statement of Financial Interest

Who Files: All candidates for State and Federal office (US Senate and House of Representatives, Governor, district court judges, the State Legislature and a Supreme Court Justice, SDCL 12-25-28); Convention delegates (Elected Governor, State Treasurer, Attorney General, Secretary of State, State Auditor, Public Utilities Commissioner and Commissioner of School and Public Lands, SDCL 12-25-29); and candidates for Local Office (County Commissioner, School Board Member in a school district with a total enrollment of more than 2,000 students or Commissioner, Council Member or Mayor in 1st Class Municipalities, SDCL 12-25-30).

Deadline to File: Within 15 days after filing nominating petitions (Supreme Court Justice files within 15 days of certifying Secretary of State of his intention to place his name on the retention ballot) or certification of convention nomination.

File with: The Secretary of State except local candidates file with the office where they file their nominating petition.

Please print:
Full Name _____
Complete Address _____
Office Sought (not District number if applicable) _____

What is your occupation/profession? _____

List any enterprise which accounted for more than 10% of or contributed more than \$2,000 to your family's (including spouse, minor children living at home) gross income in the preceding calendar year or an enterprise in which you or an immediate family member(s) controls more than 10% of the capital or stock. Identify who receives the income from each enterprise but do not include the value. (SDCL 12-25-37)

Name of Candidate or Family Member	Name of Enterprise	Enterprise Relationship (Is employee, officer, director, associate, shareholder, member, partner, proprietor, etc.)

I declare under the penalty of perjury that the information above has been examined by me and is to the best of my knowledge and belief is a true, correct and complete representation of my financial interests for the preceding calendar year.

(Signature) _____ (Date) _____

Last updated January 29, 2012



ELECTED OFFICIAL Statement of Financial Interest

Who files: All Elected Officials for State office (Governor, Lieutenant Governor, State Treasurer, Attorney General, Secretary of State, State Auditor, Public Utilities Commissioners and Commissioners of School and Public Lands, Supreme Court Justice, circuit court judge and State Legislature); (SECT. 3-1A-2). Informational agencies (the whole family confirmation is required, SECT. 3-1A-3); and Elected officials in Local office (County Commissioner, School Board Member in a school district with a total enrollment of more than 2,000 students or Commissioner, Council Member or Mayor in 2nd Class Municipality); (SECT. 3-1A-4).

Deadline to file: Within 15 days after assuming office.

File with: The Secretary of State except local candidates file with the office where they file their oath of office.

Please print:

Full Name _____

Complete Address _____

Office Sought (or District number if applicable) _____

What is your occupation/profession? _____

!!!!If there are no changes from your previously filed CANDIDATE Financial Interest Statement check the box and sign below.

☐ NO Changes

List any enterprise which accounted for more than 10% of its consolidated more than \$2,000 in your family's (includes spouse, minor children living or living) gross income in the preceding calendar year or an enterprise in which you or an immediate family member(s) controls more than 10% of the capital or stock. Identify who controls the income from each enterprise but do not include the value. (SECT. 3-1A-5)

Name of Candidate or Family Member	Name of Enterprise	Enterprise Relationship (Is employee, officer, director, associate, shareholder, member, partner, proprietor, etc.)

I declare under the penalties of perjury that the information above has been examined by me and to the best of my knowledge and belief is a true, correct and complete representation of my financial interests for the preceding calendar year.

(Signature) _____

(Signature Number 00, 000)

(Date) _____

Questions?

Campaign Finance

SDCL 12-27

Who is required to file?

- Ballot Question Committees in 1st Class Municipalities
- School district offices and ballot questions in school districts with ADM great than 2,000.
- Any municipality or school that chooses to be.
- Any other school or municipality has no requirements for campaign finance disclosure.
- Sample forms and FAQs can be found at www.sdsos.gov
 - Statement of Organization
 - Disclosure Statement

 **Statement of Organization - Local Jurisdictions**
SDCL 12-27.6

The Treasurer for a political action or ballot question committee shall file a statement of organization not later than 15 days after the date upon which the committee made contributions, received contributions, or paid expenses in excess of \$500.00. However, if such activity falls within 90 days of any primary election, the statement of organization shall be filed within 45 days. A candidate shall file a statement of organization for a candidate campaign committee not later than 15 days after becoming a candidate. SDCL 12-27.6, 12-27.7

Complete this local election official to make sure this is the required form that you need to use.

These local jurisdictions that are required to file campaign finance documents: SDCL 12-27.6

- County offices and ballot questions in counties with population greater than five thousand
- Ballot questions in first class municipalities
- School district offices and ballot questions in school districts with more than one thousand average daily membership

Committee Type (you must select one):

• County Candidate Committee • County Political Action Committee (PAC) • County Ballot Question Committee
• Municipal Candidate Committee • Municipal Political Action Committee (PAC) • Municipal Ballot Question Committee
• School Board Candidate Committee • School District Political Action Committee (PAC)
• School District Ballot Question Committee

Committee Information
(All fields required unless indicated otherwise, please print)

☐ and/or ONE another campaign committee rep. be organized for each candidate. SDCL 12-27.1 (b)

NAME of Committee

If you are a **candidate**, list your name below as it appears on your nominating petition and the office you are seeking:

Street Address _____ City _____ State _____ Zip _____
Postal Address _____ City _____ State _____ Zip _____
Committee website address (optional): _____

Chair (Candidates can serve as Chair of their Committee)
(first and last name) _____
Daytime Phone Number _____ Evening Phone Number _____
Street Address _____ City _____ State _____ Zip _____
Postal Address _____ City _____ State _____ Zip _____
Email Address _____

☐ Check this box if **Chair is also serving as Treasurer**. If the case, you are not required to fill out Treasurer fields below.

*The Treasurer is responsible for filing all campaign finance reports and forms:

Treasurer (first and last name) _____
Daytime Phone Number _____ Evening Phone Number _____
Street Address _____ City _____ State _____ Zip _____
Postal Address _____ City _____ State _____ Zip _____
Email Address _____

Revised November 13, 2013



Local Jurisdictions Campaign Finance Disclosure Statement

[SOS-12-27](#)

This statement is filed with your local election official. Contact them for additional information or if you need assistance with filing on this document.

These local jurisdictions that are required to file campaign finance documents ([SOS-12-29](#))

- County officers and ballot questions in counties with population greater than five thousand
- Ballot questions in first class municipalities
- School district officers and ballot questions in school districts with more than two thousand average daily membership

Committee Information (required finance forms)

Full Name of Committee _____

If you are a **Candidate**, list name as it appears on your nominating petition and what office you are seeking _____

Type of Committee _____

Street Address _____ City _____ State _____ Zip _____

Postal Address _____ City _____ State _____ Zip _____

Treasurer Daytime Phone Number _____

Treasurer Evening Phone Number _____

Treasurer Email Address _____

If you are a **Ballot Question Committee**, indicate which initiative the committee was involved with during the reporting period and whether the measure was supported or opposed.

Ballot Measure Number (if has been assigned) _____ Support ☐ Oppose ☐

Choose the Type of Campaign Statement you are filing on page two.

Revised November 15, 2011

Type of Campaign Statement (you must select one)

COUNTY candidates select one of these reports:

- ☐ **Pre-Primary:** Filed by the 2nd Friday prior to the Primary. The reporting period is from January 1 through the Friday before the deadline.
- ☐ **Post-Primary:** (non-cumulative) Filed by the 2nd Friday of August after the Primary. The reporting period would be from the last report filed to the deadline date.
- ☐ **Pre-General:** Filed by the 2nd Friday prior to the General. The reporting period would be from the last report filed through 11 days prior to the General Election.
- ☐ **Year-End:** Filed by the 1st Monday in February. The reporting period would be from the last report filed through December 31.
- ☐ **Termination of Committee:** Filed whenever you choose. The reporting period is from the last report filed to the date you are terminating. The balance has to end to zero and you must report all expenditures and receipts and pay off all outstanding loans, debt and obligations since your last filed report.

COUNTY SPECIAL elections and LOCAL JURISDICTION elections

Select one of these reports:

- ☐ **Pre-Election report:** Filed by the 2nd Friday prior to the election date. The reporting period is from the Statement of Organization date through the 15 days day prior to the election.
- ☐ **Year-End report:** Filed by that Monday in February of the year following the election. The reporting period is from the last filing date to December 31. If you terminate prior to December 31, you do not need to file a Year-End.
- ☐ **Termination report:** Filed whenever you choose. The reporting period is from the last report filed to the date you are terminating. The balance has to end to zero and you must report all expenditures and receipts and pay off all outstanding loans, debt and obligations since your last filed report.

You may also select one of the reports below in combination with a report above:
☐ Amendment (for most recent report filed) ☐ Termination of Committee

The following verification must be signed by the Treasurer before submitting the report ([SOS-12-27-04 \(09\)](#))

I, _____ (print name legibly), certify that I have examined this report and to the best of my knowledge and belief it is true, correct and complete. I also understand that failure to timely file any statement, amendment, or correction required subjects the Treasurer responsible for filing to a civil penalty of fifty dollars per day for each day that the statement remains unfiled ([SOS-12-27-03](#)). The civil penalty shall be in addition to any criminal sanctions.

Date _____

Signature of Treasurer _____

Revised November 15, 2011

1

Campaign Finance

Advertising Disclaimer

- Only Cities and Schools that have to comply with Campaign finance have to use a disclaimer
- Printed material or communication made by a political committee or political party.
- "Paid for by (Name of candidate, political committee, or political party)."
- Small impractical items are exempt.
 - Buttons, balloons, pins, pens, matchbooks, clothing, etc.

Campaign Finance

Government Restrictions

- A city or school may not spend public funds for the purpose of influencing an election (SDCL 12-27-20).
- No candidate, political committee, or political party may accept any contribution from any state, state agency, political subdivision of the state, foreign government, Indian tribe, federal agency, or the federal government (SDCL 12-27-21).

Who is Responsible for Enforcing these laws?

- State's Attorney (SDCL 12-27-40)

Questions?

Automated Tabulating Systems

- Have a backup plan!
- ARSD 5:02:09:01.02
 - Requires testing of the system twice.
 - Notice before each test.
- Create your own "prior" tally sheet and test deck.

When the Polls Close:

- Do not open ballot box.
- Complete recap sheet. (ARSD 5:02:09:15)
 - If ballot count from recap does not match voters in the pollbook, justify pollbook and registration list.
- Two precinct board members transport ballot box.

RECAP SHEET: PRECINCT _____ Type of ballot: _____
(date and name of election)

1. Official Ballots Received from Auditor _____ +
2. Additional Ballots Received During the Day _____ +
3. Absentee Ballots Received _____ +
4. Total Ballots Received (add lines 1, 2 and 3) = _____ (Line 4 Total)
5. Ballots Spoiled _____ +
6. Ballots Unvoted at End of the Day _____ +
7. Absentee Ballots not Opened _____ +
8. Total (add lines 5, 6 and 7) = _____ (Line 8 Total)
9. Ballots Voted (Line 4 minus Line 8) _____ (Line 9 Total)
10. Provisional Ballots Voted _____
11. Ballots To Be Counted (Line 9 minus Line 10) _____
12. Enter Number of Voters from Pollbook for this Type of Ballot _____

If Line 9 and Line 12 are not the same, compare the voters in the pollbook and the registration list and correct any mistakes.

Signed: _____

Precinct Officials

PLACE INSIDE BALLOT BOX OR TRANSFER CASE WITH VOTED BALLOTS

Discrepancies noted by resolution board: _____
(fill in only if there is a different total than above)

Signed _____

Resolution Board

Printer's note: In central count optical scan precincts, lines 10 and 11 may be completed by tabulation center employees. The printed form may be changed to reflect this option.

Automated Tabulating Systems

Tabulation Center

- Procedures can be found in SDCL 12-17B-10 through 12-17B-13 and in ARSD 5:02:09:04.04.
- Counter set to SORT OUT blank ballots.
- Counter set to NOT SORT overvoted ballots.

Automated Tabulating Systems

Ballots

- Ballot count:
 - Compare number of ballots from machine count with number of ballots on recap sheet.
 - If discrepancy, note on recap sheet, signed by tabulation technician and notify resolution board.
 - If there are five or more ballots than names in the pollbook, the resolution board shall examine each ballot for the official ballot stamp.
 - Unstamped ballots are removed and marked "unstamped – not counted".
 - If the total number of ballots still exceeds the number of names in the pollbook, ballots equal to the excess number shall be randomly pulled and not counted.
- Retabulate the ballots.

Automated Tabulating Systems

Resolution Board

- For Primary and General election – one Republican and one Democrat.
- For other elections – two persons who are not employees of your jurisdiction.
- Duties:
 - Any ballot which cannot be counted by the machine shall be examined by the Board – this would include "blank" ballots which are out sorted.
 - If any of these ballots are actual blank ballots, reset the machine to accept the blank ballots and run them through.
 - If the board cannot agree on the voter's intent, the ballot is rejected and so marked.
 - If the Board agrees on the voter's intent, a duplicate ballot shall be made by the Board.
 - Duplicate shall be marked "Duplicate" and "Official Resolution Ballot".
 - Identical serial numbers shall be place on the duplicate and on the original.
 - Duplicate shall be counted by the tabulating equipment.

Voter Intent

- "A mark that touches the oval on an optical scan ballot shall be counted as a vote; any mark that does not touch the oval and is not in the oval may not be counted as a vote."
- (ARSD 5:02:09:22)
- After the vote count:
 - Place ballots in boxes and reseal.
 - Remove program boards and store sealed.
- Recounts are conducted according to ARSD 5:02:09:05.

Questions?